

7232. By Mr. SELVIG: Petition of city council of Two Harbors, Minn., urging enactment of House Joint Resolution 167, setting aside October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

7233. By Mr. SMITH of West Virginia: Petition of the postal employees of Elkins, W. Va., favoring the passage of Kendall 44-hour week bill; to the Committee on the Post Office and Post Roads.

7234. By Mr. SULLIVAN of Pennsylvania: Petition of Pittsburgh Sisterhood, No. 80, Dames of Malta, representing a membership of 200, urging immediate consideration of Robsion-Capper bill; to the Committee on Education.

SENATE

THURSDAY, May 8, 1930

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Thou who art ever near, yet invisible to our dim eyes; who dwellest in the innermost, yet art unknown to our distracted thought, we come to Thee with no fond feeling of perfection reached, but only with the wistfulness of need. Give us this day Thy life in such abundance that we may bathe our souls in Thy pure light; give us sufficient of Thy power that we may be a power of righteousness among our fellow men; give us such measure of Thy love that all the lesser things of time and sense may fade before the vision of the highest, holiest manhood.

And if Thou seest fit to lead us through the shadowland of sorrow, suffering, or sacrifice, make us to be as those whose hearts are set on high, whose minds are generous and lofty, for the sake of Him whose sorrow stays our feet, whose suffering stirs our hearts, whose sacrifice doth save our souls, Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative days of Monday, April 21, 1930, and Wednesday, April 30, 1930, when, upon request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended;

H. R. 730. An act to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; and

H. R. 10877. An act authorizing appropriations to be expended under the provisions of sections 4 to 14 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 2076. An act for the relief of Drinkard B. Milner;

H. R. 11780. An act granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.; and

S. J. Res. 135. Joint resolution authorizing and requesting the President to extend to foreign governments and individuals an invitation to join the Government and people of the United States in the observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Black	Bratton	Caraway
Ashurst	Blaine	Brock	Connally
Barkley	Bleuse	Broussard	Copeland
Bingham	Borah	Capper	Couzens

Cutting	Hebert	Phipps	Swanson
Deneen	Howell	Pine	Thomas, Idaho
Dill	Johnson	Pittman	Thomas, Okla.
Fess	Jones	Ransdell	Trammell
Frazier	Kean	Reed	Tydings
Glass	Kendrick	Robinson, Ark.	Vandenberg
Glenn	Keyes	Robinson, Ind.	Wagner
Goldsbrough	La Follette	Schall	Walcott
Gould	McKellar	Sheppard	Walsh, Mass.
Greene	McMaster	Shortridge	Walsh, Mont.
Hale	McNary	Simmons	Waterman
Harris	Metcalf	Smoot	Watson
Harrison	Norris	Steck	Wheeler
Hatfield	Oddie	Steinwer	
Hawes	Overman	Stephens	
Hayden	Patterson	Sullivan	

Mr. FRAZIER. My colleague [Mr. NYE] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

Mr. BLACK. I desire to announce that my colleague the senior Senator from Alabama [Mr. HEFLIN] is necessarily detained in his home State on matters of public importance.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

PETITIONS AND MEMORIALS

Mr. HARRIS presented a resolution adopted by the Common Council of the City of Elberton, Ga., favoring the passage of legislation designating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

Mr. RANDELL presented resolutions of the Louisiana Bankers' Association, which were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolution of Louisiana Bankers' Association favoring less Government in business

Whereas the very fundamental of the right of the private enterprise of our Republic is being trespassed upon through interference by the activities of our Federal Government;

Whereas this is particularly true at the present time through an encroachment upon the established, recognized, and orderly conduct of activities agricultural; and

Whereas this interference establishes a precedent for the extension of Government interference into unlimited lines of industry: Therefore be it

Resolved, That the Louisiana Bankers' Association views with increasing alarm the further encroachment of Government into private business affairs; be it further

Resolved, That this association feels that the time has come to build up a clear understanding of the need for less Government in business so that private enterprises may expand and prosper; be it further

Resolved, That a copy of this resolution be forwarded by the secretary of the Louisiana Bankers' Association to the Members of the United States House of Representatives and the United States Senators from Louisiana; be it further

Resolved, That the American Bankers' Association be requested to indorse this principle and further requested to communicate their action to all of the United States Congressmen and Senators in the several States, together with a copy to His Excellency President Hoover.

G. R. BROUSSARD, Secretary.

APRIL 26, 1930.

Mr. WALCOTT presented a resolution adopted by the Board of Aldermen of the City of New Haven, Conn., favoring the ordering by Congress of a popular referendum on the eighteenth amendment to the Constitution, which was referred to the Committee on the Judiciary.

He also presented petitions and papers in the nature of petitions of the United Brotherhood of Carpenters and Joiners, of New Haven; the Connecticut Federation of Labor, of Bridgeport; the New Haven Trades Council, the Hartford Central Labor Union, and the United Brotherhood of Carpenters and Joiners, of Noank, all in the State of Connecticut, praying for the passage of House bill 10343, providing for the placing of immigrants from countries of the Western Hemisphere under quota restriction, which were referred to the Committee on Immigration.

He also presented petitions and papers in the nature of petitions of Frederick Fuller Camp, No. 24, United Spanish War Veterans, of Guilford; Allen M. Osborn Camp, No. 1, United Spanish War Veterans, of New Haven; Burdette Camp, United Spanish War Veterans, of Hartford; Ernest Weichert Camp, No. 26, United Spanish War Veterans, of Danbury; N. W. Bishop Camp, No. 3, United Spanish War Veterans, of Bridgeport; William Hamilton Camp, No. 20, United Spanish War Veterans, of

Danielson; William McKinley Camp, United Spanish War Veterans, of South Norwalk; G. A. Hudsell Camp, No. 21, United Spanish War Veterans, of Bristol; Griswold Camp, United Spanish War Veterans, of Norwich; Capt. Charles B. Bowen Camp, No. 2, United Spanish War Veterans, of Meriden; Charles P. Kirkland Camp, No. 18, United Spanish War Veterans, of Winsted; the Ladies' Auxiliary of McKinley Camp, United Spanish War Veterans, of South Norwalk, and sundry citizens of Winsted, all in the State of Connecticut, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

Mr. BINGHAM presented resolutions adopted by the boards of aldermen of the cities of New Haven and Derby, and the common councils of the cities of Meriden and New Britain, in the State of Connecticut, favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which were referred to the Committee on the Library.

He also presented a resolution adopted by Lady Sherman Council, No. 15, Sons and Daughters of Liberty, of Shelton, Conn., favoring the passage of legislation placing all countries of North and South America under immigration-quota restriction, which was referred to the Committee on Immigration.

He also presented memorials of the Beth-El Synagogue, of Waterbury, and members of the Polish-American Citizens' Committee, of New Britain, in the State of Connecticut, remonstrating against the passage of legislation providing for the registration of aliens, either voluntarily or compulsorily, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Mystic, and of members of the Jewish Republican Club, of Colchester, in the State of Connecticut, remonstrating against the passage of the so-called Blease bill, providing for the voluntary registration of aliens, which were ordered to lie on the table.

He also presented a resolution adopted by the board of directors of the Stamford (Conn.) Jewish Center, opposing the passage of legislation for the registration of aliens legally resident in the United States, which was ordered to lie on the table.

He also presented a resolution adopted by the congregation of B'nai Jacob, of New Haven, Conn., opposing the adoption of any plan for the simplification of the calendar which would include a blank day or any other device by which the existing and immemorably fixed periodicity of the Sabbath would be destroyed, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the board of aldermen of the city of New Haven, Conn., favoring the ordering by Congress of a popular referendum on the eighteenth amendment to the Constitution, which was referred to the Committee on the Judiciary.

He also presented a resolution of Jared R. Avery Camp, No. 20, Sons of Union Veterans of the Civil War, of New London, Conn., favoring the passage of legislation making The Star-Spangled Banner the national anthem, which was referred to the Committee on the Library.

He also presented a resolution adopted by the Juneau (Alaska) Chamber of Commerce, protesting against the enactment of section 3 of House bill 9726, which proposes to amend the Alaska game law so as to grant the power of search without warrant to officers and employees of the Alaska Game Commission, which was referred to the Committee on Territories and Insular Affairs.

He also presented a resolution adopted by the board of directors of the Chamber of Commerce of New London, Conn., favoring the passage of legislation granting increased compensation to officers and enlisted men of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and the Geodetic Survey, which was referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of New Haven, remonstrating against the passage of legislation empowering the Postmaster General to prohibit the holding of C. O. D. parcels beyond 15 days without demurrage charges, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution of the Young Women's Christian Association of Bridgeport, Conn., favoring the prompt ratification of the proposed World Court protocol, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Bridgeport, Saugatuck, Westport, Stratford, Fairfield, Milford, Springdale, Danbury, Bethel, Stamford, and Waterbury, all in the State of Connecticut, remonstrating against the entry of the United States into the World Court, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New Milford, Hartford, Willimantic, Bridgeport, Fairfield, and New Haven Counties, all in the State of Connecticut, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Legaspi, Albay, P. I., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

He also presented a resolution adopted by the Common Council of the City of New Britain, Conn., favoring the passage of the so-called "fifty-fifty" pension bill, providing increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

CRITICISM OF MCGRAW-HILL PUBLICATION'S OPPOSITION TO DUTY ON SILVER

Mr. PITTMAN. Mr. President, the McGraw-Hill publication, the Engineering and Mining Journal, in its issue of May 8, has an editorial entitled "The Tariff on Silver." Whilst the article is as insulting to the dignity and intelligence of the Senate and as sly, hypocritical, and deceptive as the former editorial against silver in the Engineering and Mining Journal which I criticized in my speech on April 18, I am satisfied that this editorial, like the former, is written to be used as propaganda, and will be used as propaganda, as was the former editorial, with every Member of Congress.

I observe that the McGraw-Hill Publishing Co. in this last article does not deny or even mention its disgraceful conduct in violating the confidence of the Federal Power Commission, and conspiring, I may say successfully, with the Niagara Falls Power Co. to have deleted from a report by the Federal Power Commission to Congress facts charging dishonest and corrupt practices on the part of the Niagara Falls Power Co.

I may say that until the McGraw-Hill Publishing Co. can at least give some plausible excuse for such dishonorable conduct it is not entitled to complain of criticism on the floor of the United States Senate. At the time of the disgraceful conduct to which I refer several Senators read the whole testimony with regard to these facts taken from the published public hearings of the Committee on Interstate Commerce of the Senate. No language could have been as condemnatory as were these facts that were read, and yet the McGraw-Hill Publishing Co., who edit the Engineering and Mining Journal, remained silent with regard to such matter, and they still remain silent.

In one voice the McGraw-Hill publication contends that the proposed duty of 30 cents will not increase the price of silver, and then in the same article they argue that the imposition of the duty will place too big a burden upon the consumer. If they believe their first argument, then the second argument must be admittedly hypocritical.

They attempt to show that there is overproduction of silver which causes the tremendous depreciation in the price. They do not tell clearly and plainly that the overproduction is not a natural production from the mines but an artificial production of silver bullion caused by the melting up and dumping on the market of hundreds of millions of ounces of silver reserves in India which have accumulated through the ages in the form of coins, plate, and jewelry.

It is against this dumping that all other countries in the world are attempting to protect themselves. Even China is seeking to have a high duty placed on importations of silver to protect against this dumping, which has almost ruined China. Mexico, according to the press, has placed an embargo upon the importation of silver.

If the Engineering and Mining Journal, published by the McGraw-Hill Publishing Co., do not believe that the duty will increase the price of silver, and they are interested in the maintenance of the silver industry, why do they not favor an embargo similar to that which is being undertaken in Mexico? Was there ever a case where an embargo was more justified than in the present case?

It is true that in my speech of April 18 I stated that there were grounds for the argument that the duty would not increase the price of silver, but I did maintain and do maintain that the price of silver may go much lower unless there is some restriction placed upon importation. It is evident that there is hardly a limitation upon the amount of silver that India may throw upon the world under its avowed policy of eliminating the use of silver in India.

The McGraw-Hill Publishing Co. attempts to justify its opposition to the silver industry when it says:

Its sponsor must have been aware of the fact that the effect of the present low silver prices was disastrous only to mines the principal product of which is silver.

While that is not entirely true, because it is disastrous to low-grade lead, zinc, and copper mines that have depended upon the silver values for continued operation, yet, if it were true, is there any reason why our Government should permit a condition to exist which is disastrous to the silver mines of the country any more than it would permit a condition which is disastrous to any other mines of the country or any other legitimate industry?

The report of the Bunker Hill and Sullivan mine, for instance, to which the publication refers, shows that the profits in 1929 were \$2,473,000, and that of such values \$860,000 was from the sale of 1,735,000 ounces of silver. That was in 1929. To-day the press informs us that the Bunker Hill and Sullivan mine, on account of the low price of silver and other products in the ore, is running on a one-third capacity basis. The same group of miners have just taken one of its Nevada properties and reduced mining operations two-thirds for the same reason.

The general mining condition of the country was never more deplorable, and, as this journal admits, such conditions are "disastrous" to the silver mines.

Again, take the statement of the Journal in this last article. What does it show? That in 1920 there were 20,000,000 ounces of silver produced from silver mines alone of a value of \$20,700,000, and that in 1929 there were 11,000,000 ounces produced of a value of only \$5,700,000. This argument of the Journal certainly supports their admission that the present low price of silver is "disastrous" to silver mines.

Yes; but the Journal says that the men that were thrown out of work in silver mines were absorbed in other kinds of mines. The writer of that article must know that not only have the silver mines been shutting down all over the country but the lead and zinc mines have been closing down or greatly reducing their mining forces. How can a man in a closed-down silver mine get a position in a copper or lead or zinc mine when the production of all these mines is being daily decreased and miners discharged? Is this argument, with regard to the absorption of discharged silver miners, based upon facts? Is it truthful? Is it fair? As a matter of fact, is it not deceitful and hypocritical?

In the last article the McGraw-Hill Publishing Co. in its Engineering and Mining Journal attempts to convince Congress that the statement made by practically every mining association in the mining States, with regard to the closing down of mines and the discharge of employees created by the low price of silver, is not true. Now who has told the truth in this matter, the McGraw-Hill publication or mine operators throughout the West? Why, this condition became so terrible that the American Federation of Labor have taken notice of it, and in a letter addressed to Congressman ARENTZ have set out the facts and have urged support of the 30 cents an ounce duty on silver. Does the Engineering and Mining Journal wish to contend that the American Federation of Labor has not correct statistics with regard to unemployment? Does it not realize that the unemployment situation to-day is one of the grave problems faced by our Government, and that to dump men out of the mines and to force them into the already idle masses who are parading the streets of our cities will further complicate the situation?

The same Engineering and Mining Journal in its article which I criticized in my speech of April 18, while making its argument that the price of silver would not be raised and at the same time that the consumer would be imposed upon, used every argument made by the Jewelers' Vigilance Committee in the propaganda that they were circulating through Congress against the amendment on silver, and that editorial was immediately used by the Jewelers' Vigilance Committee for their propaganda.

Now, the McGraw-Hill Publishing Co. are indignant, because those who know the situation charge that the evidence indicates a conspiracy on the part of the McGraw-Hill Publishing Co. with the Jewelers' Vigilance Committee to defeat the silver amendment through hypocritical and deceptive arguments.

At the close of my remarks I shall present for publication in the RECORD some resolutions and letters which are typical of numerous that I have received, disclosing the fact that mine operators throughout the country are in sympathy with the criticism that I have made with regard to the McGraw-Hill publication.

The last deceptive argument made by this publication is that we only import a small amount of silver from India, and therefore this vast quantity of silver that is being dumped by India on the world at any price is not being dumped in the United States.

It appears that the United States imports about 117,000,000 ounces of silver every year. What is to prevent this silver reaching the United States, whether through Mexico, South America, China, or Canada? The fact remains that it depresses the price of silver all over the world, and whether the silver comes in directly from India or from some other country it

comes in as depressed, cheap silver, and at a price less than the American miners under American standards can produce silver.

The Jewelers' Vigilance Committee have no legitimate complaint. They got a duty of 60 per cent ad valorem in 1922 at the time they were paying 75 cents an ounce for silver. If the whole 30 cents an ounce duty were effective, it would only make silver at the present time 72 cents an ounce, because the market price to-day is only 42 cents an ounce.

In addition to this the manufacturing jewelers who manufacture articles containing silver have had an increase of 5 per cent ad valorem through action of this Congress, making a duty of 65 per cent ad valorem—that in face of the fact that the price of silver had dropped from 75 cents an ounce in 1922 to 42 cents an ounce at the present time.

The amount of silver used in cheap silverware is negligible, and the silver used in expensive silverware is a luxury purchased only by the rich.

The argument that we produce in the United States more than we consume is not applied generally in the making of a tariff bill, as is demonstrated by the present tariff bill. We produce more steel products, more automobiles, more shoes, and a hundred other products that bear a high tariff duty than we consume in this country.

Under the existing law the manufacturers of silverware can go to the President and have their duty raised if competitive conditions require it. The silver producers can not go to the President and have a tariff put on silver, because such provision only applies to the dutiable list, and silver is on the free list.

This whole fight against silver and the silver-producing industry is the clearest demonstration of the selfishness and greed that has dominated the construction of this tariff bill and many tariff bills in the past. Any law that raises the standard of living to some, which inevitably means the cost of living to all, and denies the same standard to other industries is intolerable. No such tariff bill, in my opinion, can or should be enacted into law.

I voted for the tariff bill as it left the Senate because, with all its faults and injustices, it was, in my opinion, an improvement, slight though it may be, over the existing law. If the improvements placed in the bill by the Senate are to be eliminated, then the bill should be defeated and the country should be given an opportunity to consider and act upon the question at the next election, so that in the framing of a tariff bill thereafter the sentiment of the country would be known. No government can stay in power that is ruled by selfishness, greed, and the power of special interests.

I now ask to have printed as a part of my remarks the editorial from the Engineering and Mining Journal, and the resolutions and letters to which I have referred.

There being no objection, the letters and resolutions were ordered to be printed in the RECORD, as follows:

[From the Engineering and Mining Journal, New York, May 8, 1930]

THE TARIFF ON SILVER

The price of silver—virtually an international price—averaged about 53 cents per ounce in 1929. Quotations reached a low of about 39 cents per ounce in 1930. The metal is now selling at about 42 cents per ounce, compared with a peak price of \$1.37 following the war. Silver production in 1929, despite the low price, was about 260,000,000 ounces—probably the highest rate in the history of the industry. The reason for this increase is seen in the fact that silver is a by-product from many base-metal operations. Production of all three major non-ferrous base metals—copper, lead, zinc—was at an unprecedented rate in 1929.

According to the United States Bureau of Mines, silver production in the United States in 1929 was 60,937,600 ounces. The highest point in recent years was reached in 1923, when 70,355,000 ounces were produced, but the proportion from silver mines was small. The following statistics refer to total production, compared with silver-mine production, of silver in the United States, 1920-1929, inclusive:

Year	Total output		Silver-mine output		Average price per ounce
	Ounces	Value	Ounces	Value	
1920.....	56,536,904	\$57,100,000	20,477,612	\$20,700,000	\$1.01
1921.....	46,332,966	29,000,000	24,117,251	15,000,000	.626
1922.....	61,207,989	40,500,000	26,631,579	19,000,000	.675
1923.....	70,355,674	45,500,000	27,636,947	17,800,000	.648
1924.....	64,070,744	42,600,000	20,388,065	13,700,000	.667
1925.....	66,710,080	46,000,000	17,099,876	11,700,000	.69
1926.....	62,487,219	39,000,000	13,567,095	8,400,000	.62
1927.....	59,625,682	33,100,000	11,775,384	6,600,000	.56
1928.....	58,462,507	34,011,000	12,000,000	7,000,000	.58
1929.....	60,937,600	32,540,000	11,000,000	5,700,000	.53

¹ Estimated.

The output from silver mines during 1928 and 1929 is not yet known, the amounts given being estimates only, which will probably prove high. The other figures given are on the authority of the United States Bureau of Mines.

This distinction between total silver production and silver-mine production must be realized. In 1927 copper ores produced 14,500,000 ounces silver; lead ores, 15,762,000 ounces; zinc-lead ores, 13,624,000 ounces. The remainder came from miscellaneous classifications. In all such operations silver is a by-product. In some instances the revenue obtained from its sale is important, but rarely does it determine the scale of operations. A fall in the price of silver does not cause a lead mine to suspend operations unless the price of lead falls also. To make this clear the following table showing operating profit at six important western silver-lead producers has been prepared. Note that the total value of silver produced exceeds the profit at only one property. In other words, even though nothing was obtained for the silver output, and assuming that the prices of lead and zinc remained at a sufficiently high level, these mines could still operate at a profit:

Mine	Profits, 1929	Silver production	
		Ounces	Value (approximate)
Bunker Hill.....	\$2,473,936	1,735,350	\$860,000
Federal.....	2,682,806	1,703,299	850,000
Hedra.....	2,227,465	1,668,069	837,000
Silver King.....	2,038,654	2,993,193	1,500,000
Tintie Standard.....	1,628,115	2,986,212	1,500,000
Park Utah.....	577,028	2,759,678	1,400,000

Appreciation of the foregoing facts is a necessary preliminary to a discussion of the advisability or practicability of a tariff on imported silver. When such a tariff was recently proposed for the avowed purpose of protecting the silver mines its sponsor must have been aware of the fact that the effect of the present low silver prices was disastrous only to mines the principal product of which is silver. Lead, zinc, and copper mines, although they would be helped by a silver tariff if it could be made effective, would continue to operate and give employment in spite of low silver prices. The main argument of Senator PITTMAN, who proposed such a tariff, was that the low price of silver was causing unemployment in the West, that the prosperity of entire towns and counties was being affected thereby. An examination of the table of production will show in the first place that the decline in the value of the output of silver mines has been extremely gradual. Miners who could no longer find employment in silver mines after the drop in price in 1926 must have been absorbed long since into other industries or into other branches of the mining industry.

Readers of Engineering and Mining Journal had a right to expect editorial comment on the practicability of the silver tariff. This publication deplores the present condition of the silver-producing industry and would willingly lend support to any legislation that would, in its opinion, really foster the interest of the silver miner. But a study of the silver situation resulted in the accumulation of convincing evidence that a tariff can be of no avail. Even Senator PITTMAN, who proposed the tariff, admits that it may not increase the price of silver in the domestic market.

The United States consumes at most 40,000,000 ounces of silver and produces at least 20,000,000 ounces more than that. The Senator has spoken about the present dumping of low-cost silver on the United States market from abroad, which his tariff is aimed to prevent. But can a commodity be dumped in any given market when the price is uniform throughout the world? Foreign silver is imported here for refining, but more than an equivalent amount is then marketed abroad. To make a silver tariff effective, silver production in this country must be almost equaled by consumption. That is an inescapable conclusion. Engineering and Mining Journal could have evaded consideration of this fact, it could have taken the easier path and remained silent or commended Senator PITTMAN's tariff. But to shut one's eyes to the truth is neither courageous nor constructive.

Engineering and Mining Journal therefore came to the conclusion that the Pittman silver tariff under existing conditions was probably not practicable. What induced the Senate to change its mind and pass the bill after having first defeated it? Few Senators are conversant with the mining industry. Senator PITTMAN advanced strong arguments in favor of his measure, but the following quotations from his speech before the Senate on March 19, with comments, indicate that incorrect impressions probably resulted:

"In the State of the Senator from Idaho, as he will realize if he has been reading the newspapers, two or three large silver-lead mines have been closed down during the last few weeks."

This is correct. The mines were the Star, the Tamarack & Custer, the Sherman, and the Golconda, but not one of them suspended operations because of the low price of silver. The essential reason was the drop in the price of lead—a tariff-protected commodity—to 5.5 cents per

pound, delivered in New York. To mention their closing in connection with silver prices is to give a misleading impression.

"In Utah several important mines have closed down in the last week."

Although more than a month has passed since Senator PITTMAN made this statement, information from Utah indicates that only a few unimportant mines in the State have closed within the past two weeks. Several are on a curtailed-production basis.

"And one district in Colorado, which is purely a silver-mining district, where silver mines were working a month ago, two or three of them, employing thousands of men, have closed down."

This doubtless refers to Creede, the only "purely" silver-mining district in Colorado. Its production in 1929 was 520,000 ounces of silver, worth about \$270,000. Hardly more than 300 men could have been employed. Engineering and Mining Journal can obtain no evidence in support of Senator PITTMAN's contention that thousands of men have been thrown out of work there. In all Colorado not more than 7,000 men are employed in mining. Silver represents hardly one-eighth of the value of the mineral output. The three largest enterprises produce molybdenum, gold, and lead-zinc-copper, respectively. All three are continuing operations at or near capacity.

"The mines there (Utah) have cut the wages of the men in the lead and silver mines * * * 25 cents a day and in the smelters 25 cents a day."

This statement also gives a misleading impression. Wage scales in Utah mines are based on the price of lead or copper. Silver does not enter into the calculation. If the price of silver increased 30 cents per ounce, and if lead remained at 5.5 cents per pound, the miners would receive no additional pay. Again:

"Practically every mining property in Tonopah, Nev., is closed down."

Tonopah, owing to ore exhaustion, has been a dying camp for several years. Most of the properties passed the peak of production when silver was over \$1 per ounce, and the decline in price is merely accelerating the process of their closing. Nevertheless, production is still about one-half of what it was two or three years ago. Tonopah Extension, still in operation, has been the second largest individual producing mine there for many years. To say that "practically every" mine has closed is misleading. On April 18 Senator PITTMAN said:

"* * * there is not the slightest bit of doubt that it [the proposed tariff] will stop the dumping of silver into this country from India * * *"

This conclusion can be traced to a remark made by Senator SMOOT, of Utah, during the debate before the vote on March 19. "As those silver coins come out of circulation," he said, referring to an alleged practice with metal currency in India, "they are melted and exported all over the world; but America is the principal place to which they are sent." This argument in favor of the tariff loses weight when the facts are known. According to statistics made available by the Department of Commerce, the United States since 1924 has imported a total of only 2,155 ounces of silver from India, none of which was in the form of silver bullion.

Engineering and Mining Journal therefore reached a decision that the information given to the Members of the Senate in regard to the status of the silver industry of the United States was incomplete and capable of misinterpretation, and that a majority vote in favor of the silver tariff was, in consequence, partly due to misunderstanding. Under these conditions this publication could not evade its responsibility to its readers and to the mining industry.

The editorial in the issue of April 7 which stated that "Engineering and Mining Journal gravely doubts whether the tariff will accomplish its avowed end, or whether, even if it did, such a heavy tax on the consumer would prove desirable," occasioned an inflammatory attack on this publication by Senator PITTMAN, the sponsor of the bill. On this occasion the Senate of the United States was given the impression that Engineering and Mining Journal had been acquired during comparatively recent years for propaganda and lobbying purposes; that it had acted "viciously" and in a "low manner" to attack those who supported a duty on silver; that "the evidence in this matter indicates that this thing [the editorial criticized] was not only instigated but there was some compensation for it * * *"; that the editorial was a "low and hypocritical attack"; that "through this whole miserable thing is this hypocrisy, this propaganda all originating with the vigilance committee of the Jewelers' Association, * * * who are now basely, through a mining journal which has heretofore been respected by miners, attempting to defeat the very thing which every miner in this country, every mining association in this country, the Mining Congress of this country, have stated is absolutely essential to prevent the entire destruction of the industry."

The final argument in Senator PITTMAN's speech will be disposed of first, and in a few words, by proving that he is mistaken in his impressions.

The American Mining Congress has not advocated such a tariff, because, as was stated in an editorial in the January issue of its journal, "it does not believe that it would be of any value of the silver producer." Officials of the American Institute of Mining and Metallurgical Engineers are equally skeptical, as will be seen by an examination of the

April issue of Mining and Metallurgy, the institute publication. According to Mr. W. F. Boericke, of the institute staff: "Obviously there can be little or no benefit for the miners in a tariff against foreign importation, as without a producers' agreement regulating price and output, which would be impossible under our present laws, the surplus resulting from domestic production would rapidly bring down the price to a parity with the price abroad." Mr. A. B. Parsons, assistant secretary of the institute, maintains that, "The only effect of a tariff would be to cause a lot of complicated bookkeeping entailed by the smelting and refining of foreign silver 'in bond.' No one bothered to oppose the tariff on the mere ground that it was a nuisance, and the Senate voted aye because a few Members asked it to. The tariff can not benefit the owner of domestic silver mines, and is consequently a mere gesture." Ample additional testimony is available to indicate that the stand taken by Engineering and Mining Journal in opposing this duty was justified as reflecting and anticipating mature opinion throughout the industry.

The vituperation and calumny that characterized Senator PITTMAN's speech before the Senate on April 18, in an effort to destroy the influence and reputation of this publication, is a more serious matter. Every time a Member of the Senate of the United States abuses his senatorial privilege of free speech and immunity from legal action, and makes a scurrilous and untruthful attack, he still further weakens public confidence in the integrity of that Chamber as a legislative body. He encourages—by causing suspicion and distrust of Congress and doubt as to the country's capacity for orderly and just government—those elements who would destroy authority, but who, fortunately, do not possess a Senator's exemptions and prerogatives.

To its readers and to the mining industry of the United States, Engineering and Mining Journal need not adduce proof of its obvious independence of opinion. To Senator PITTMAN and to his colleagues, however, it takes this opportunity to issue a categorical denial of his accusations of hypocrisy and venality in its editorial attitude on the silver tariff, an attitude that was the outcome of an impartial and spontaneous analysis, suggested by no individual or group of individuals outside the editorial staff. The criticism of Senator PITTMAN's proposal, to which he takes exception, was written without consultation with or consideration of the aims of the Jewelers' Protective Association or any other organization. Engineering and Mining Journal deplores the malevolence of Senator PITTMAN's incitation to the Senate: "Read that brief [of the Jewelers' Vigilance Committee] and read this editorial, and you will see that the same person wrote both of them." It finds no inconsistency, as the Senator avers, in the fact that the tariff was opposed as likely to prove a delusion to the producer and a tax on the consumer. None but a shortsighted policy would advocate a benefit to one of these closely interlocking interests that would prove burdensome or harmful to the other.

A review of the editorial attitude taken by Engineering and Mining Journal for more than a quarter of a century under its present ownership will indicate that it has never opposed any measure that is practicable, helpful, and just. It gave unqualified support to Senator PITTMAN in regard to his silver purchase bill, upholding the repurchase, under the Pittman Act, of 208,000,000 ounces of silver. Nor can one argue with hope of success that its editorial policies have been changed. Four years ago Senator Cameron, of Arizona, advocated a tariff on copper. Such a measure was opposed by this publication for the chief reason that—as is true for the pending silver tariff—it was impracticable and of doubtful benefit.

On May 2 the House of Representatives defeated the silver tariff by a vote of 200 to 72. Although not necessarily final, this action probably means that the silver clause will be omitted from the completed tariff bill when it is submitted to President Hoover for approval.

Engineering and Mining Journal prizes above all material and professional compensations a reputation that has been gained during more than six decades of service to the mining industries, a reputation the reward in major part for the verity and independence of its editorial attitude. It makes no claim to infallibility of judgment or superior prescience in analysis, but it takes pride that its findings and recommendations are based on pertinent facts, all of which it seeks and none of which it ignores. A mistake, when one is made, is willingly acknowledged; but the publication will not alter its course because of threats, untruthful attacks, or intimidation. Believing that a need of the times is sane counsel and fearless criticism, Engineering and Mining Journal purposes to continue an editorial policy that will follow the precepts laid down by Lincoln: "With malice toward none; with charity for all; with firmness in the right * * *"

NEVADA MINE OPERATORS' ASSOCIATION,
Reno, Nev., May 2, 1930.

Hon. KEY PITTMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: It is with the greatest regret that we have learned of the rejection yesterday afternoon by the House of Representatives of your amendment to the tariff bill providing for a duty on silver. When your message was received conveying the news that the House conferees had refused to adopt the Senate's schedule on silver, it was concluded that final favorable action was doubtful.

Nevertheless, we were still hopeful. You may rest assured that the mining industry of this State well knows that no effort was spared. It is unfortunate that the House could not follow the better judgment of the Senate.

Your speech in reply to the Mining and Engineering Journal editorial was immediately distributed throughout this State and elsewhere. It may interest you to learn of the comment of the head of one of the principal silver producing companies of the country. After thanking me for sending it to him, which he read with great interest, he concludes with the remark:

"When the Senator gets after anybody he does a pretty thorough job."

With best wishes, sincerely,

HENRY M. RIVES.

TONOPAH BELMONT DEVELOPMENT CO.,

Philadelphia, May 5, 1930.

Hon. KEY PITTMAN,

United States Senate, Washington, D. C.

DEAR SENATOR PITTMAN: I have read with great interest your remarks in the Senate anent the attitude of the Engineering and Mining Journal upon the silver tariff, and wish to express my admiration of the way you handled the matter. The inclosed copy of a letter to the Journal will explain itself.

With kind regards, I am yours very truly,

CLYDE A. HELLER, President.

[Inclosure]

TONOPAH BELMONT DEVELOPMENT CO.,

Philadelphia, May 5, 1930.

A. W. ALLEN, Esq.,

Editor Engineering and Mining Journal,

Twenty-sixth Street and Tenth Avenue, New York City.

DEAR SIR: My subscription to the Engineering and Mining Journal will expire next month, and this letter is to inform you that I do not desire to renew the same.

The attitude taken by the Journal toward the efforts of Senator PITTMAN to obtain a duty upon silver seems to me so utterly unwarranted and uncalled for by a paper presumably devoted to the mining industry that I do not care to support it longer.

Yours very truly,

CLYDE A. HELLER, President.

MINUTES OF THE REGULAR MEETING OF THE NORTHWEST MINING ASSOCIATION HELD APRIL 28, 1930, AT THE SPOKANE HOTEL

President F. Cushing Moore called the meeting to order with an attendance of 38.

The president presented a letter written by Charles Butters, of San Francisco, to Walter J. Nicholls, with the request that it be read at the association meeting. It called attention to an editorial in the April 8 issue of the Engineering and Mining Journal impugning the actions of western Senators who had taken up the fight of silver producers for a tariff against hoarded silver of the Orient. The letter was read by the secretary and ordered incorporated into the minutes.

Russell F. Collins said that the Government had done very little for the silver producers, and that the association should not lose sight of the monetary situation, which will be the ultimate solution of the silver question.

A. W. Foster said that the editorial in the Engineering and Mining Journal had caused considerable resentment among mine operators with whom he had talked. He moved the appointment of a committee to draft a protest to the Engineering and Mining Journal specifying that copies be sent to James H. McGraw, of the McGraw-Hill Co., along with copies of Mr. Butters's letter. The motion was seconded by Storey Buck and was unanimously adopted. President Moore announced that he would serve as chairman of the committee and would name as additional members Mr. Robert T. Banks and Mr. A. W. Foster.

THE COLORADO MINING ASSOCIATION,

AMERICAN MINING CONGRESS,

Denver, Colo., April 29, 1930.

To the Members of Congress.

DEAR SIRS: The Colorado Mining Association urges your support for the Pittman amendment, providing for a tariff of 30 cents an ounce on silver.

Briefly, our reasons for this petition are as follows:

First: Britain is forcing the gold standard on India. This has resulted in forcing silver to the lowest price on record, with even lower prices probable as reserve stocks continue to be thrown on the American market.

Second: Silver is associated with lead, zinc, and copper in the Rocky Mountain region, where the future reserves of these metals is to be found. Foreign mines are being developed to unprecedented capacity, due mainly to government help and cheap labor. To insure our own future supply of lead, zinc, and copper, silver production should be encouraged.

Third: The production of silver in the past has exceeded consumption. The closing down of many mines and the curtailed production of zinc, lead, and copper has decreased the production of silver. Consumption now probably equals production, and the tariff will be of direct benefit to the American miner.

Fourth: A tariff structure which protects the manufacturer and farmer should also provide for protection to the silver miner. To deny the silver miner a tariff would be unfair and unjust.

Fifth: Jewelry manufacturers are amply protected by a tariff based on higher prices of silver and need not advance their prices at all, even if the silver miner receives the full benefit of the tariff.

Sixth: American standards of living should be maintained, and our silver miners should not be required to compete with the lower standard of living in other nations.

Seventh: A tariff at this time will encourage the mining industry, and should result in a mining revival that will give employment to thousands of miners now unemployed. As mining is a basic industry, this will be of benefit to farmers and manufacturers.

Eighth: The Pittman proposal has made provision allowing the importation of all ores for smelting purposes, so that a tariff on silver need not in any manner interfere with or inconvenience our smelting companies.

We respectfully ask your serious consideration of this proposal, so that the silver miner will receive a square deal.

Very truly yours,

TARIFF COMMITTEE OF THE COLORADO MINING ASSOCIATION.

AMERICA'S WAGE EARNERS' PROTECTIVE CONFERENCE,
New York City, April 30, 1930.

Hon. SAMUEL S. ARENTZ,

House of Representatives, Washington, D. C.

HONORABLE SIR: On behalf of the membership of the International Union of Mine, Mill, and Smelter Workers, affiliated with the American Federation of Labor, employed in the mining and smelting of silver, we ask that you make known to the House of Representatives our strong appeal for the adoption of the Senate amendment of 30 cents per ounce on silver.

The American workers engaged in the mining and smelting of silver are forced to compete in America with silver produced by the peon and forced labor of the South and Central America and Asiatic countries.

The difference in labor costs is so great that while we know that this duty of 30 cents per ounce will not equal the difference in costs of production it will greatly help those American workers dependent for their livelihood on the ability to dispose of the products of their labor in the mining and smelting of silver.

With Great Britain withdrawing the silver coinage used for centuries in India and placing the silver content thereon in the American market the price of silver has dropped to 42 cents per ounce, a figure which makes it impossible for the product of the American silver miners and smelters to compete with in America.

In 1922, when the Congress enacted a tariff duty of 60 per cent on fabrications of silver, the price of silver was 75 cents per ounce. Therefore, the adoption of a tariff rate of 30 cents per ounce, in addition to the present price of 42 cents per ounce, will not even place the price of silver where it was when the duty of 60 per cent was placed on fabrications of silver in 1922.

American workers realize that when workers engaged in the mining and smelting of silver are unable to secure profitable employment in the mining and smelting sections of our country that they are forced, in order to live, to migrate to the larger cities where already there are millions of American workers unable to obtain employment.

We sincerely trust that the membership of the House of Representatives will answer the appeal of the men engaged in the mining and smelting of silver and agree to the Senate amendment placing a duty of 30 cents per ounce on silver.

Sincerely yours,

AMERICA'S WAGE EARNERS' PROTECTIVE CONFERENCE,
MATTHEW WOLL, President.
M. J. FLYNN, Executive Secretary.

JUDGE JOHN J. PARKER

Mr. BLEASE. Mr. President, yesterday when I went to my office after the vote on the Parker matter I received the following telegram:

CLEVELAND, OHIO, May 7.

I hope you will do everything possible to have Judge Parker confirmed. For obvious reasons it behooves every southern Senator to rally to Judge Parker's support regardless of party affiliations.

(Signed) S. HAMPTON McLEAN.

On the street car on the way to my hotel last evening there were two colored men sitting right behind me. One of them made the remark to the other, "Well, we gave the South hell to-day." The other negro asked how, and the other replied, "By beating Parker." A lady sitting beside me touched my

arm and said, "Did you hear that?" I said, "Yes; but I can not resent it because it is true."

In this morning's Washington Post I find the following statement as to the Parker vote:

It was these eight regulars, of course, and the cause they represented, the negro opposition, that gave the margin of victory to the serious opponents of the judge. In the final analysis this margin was offset by four and perhaps five Democrats, who went over to the administration because of the negro opposition. Of the remaining 13 Democrats recorded in favor of confirmation, 3—Senators FLETCHER, RANSDELL, and BROUSSARD—always vote with the Republicans when there is a tariff bill pending, and a fourth, Senator SWANSON, has become such an elderly statesman that he can not afford to be found often in the opposition.

But it was the negro opposition that gave the commanding position to the movement led by the progressives, aided this time in some degree by organized labor. The drive would probably have been within two votes as strong had organized labor not opened its mouth.

I would not have read this excerpt from the Washington Post except that the people outside of Washington sometimes do not see the Washington Post and of course do not hear conversations by negroes on street cars in Washington. I want my people to know about the telegram which I have read, to know about this negro talk on the street car here in Washington, and to know what the Washington Post of this morning had to say about the vote here yesterday on Judge Parker.

Mr. TRAMMELL. Mr. President, I have never been very much in favor of holding post-mortems, but in regard to the statement of my friend from South Carolina [Mr. BLEASE], I will say that he must have been on a different street car from the one on which I was a passenger. On the street car on which I was traveling yesterday afternoon after the vote was taken there was great despondency on the part of several people of the Negro race because Judge Parker had been defeated. They were despondent at the rejection of his nomination because he had declared unconstitutional the so-called segregation act in Richmond, Va., segregating the whites and the negroes, and because some issue of that kind may at some time come before the Supreme Court. It is merely a viewpoint of the negroes; some were against him and some were for him. I think they were pretty evenly divided.

Mr. BLEASE. I will say to my friend that if he will find the negroes to whom he referred on the street car I will give each one of them a hat.

The VICE PRESIDENT. The telegram submitted by the Senator from South Carolina will lie on the table. The Chair lays before the Senate a telegram, which will be read and lie on the table.

The Chief Clerk read as follows:

ST. LOUIS, Mo., May 7, 1930.

Hon. CHARLES CURTIS,

Vice President and President of the Senate
of the United States, Washington, D. C.:

We wish to express our appreciation to every Member of the Senate who voted against the confirmation of John J. Parker, of North Carolina, as Associate Justice of the United States Supreme Court. We respectfully request that you read this message in the open meeting of the Senate. We believe that the action of the Senate in this case will serve notice on all applicants for that position that they must show by their record that they regard the rights of all citizens as being equal before the law and that they have carefully protected and upheld those sacred rights in all opinions and decisions rendered by them, and that they seek to enter the Supreme Court with clean hands.

BUILDING TRADES COUNCIL OF ST. LOUIS,

Per MAURICE J. CASSIDY, Secretary.

The VICE PRESIDENT also laid before the Senate a telegram from James C. B. Beatty, of East Liverpool, Ohio, expressing gratification at the rejection by the Senate of the nomination of John J. Parker to be an Associate Justice of the Supreme Court of the United States, which was ordered to lie on the table.

PRISON CONDITIONS IN THE UNITED STATES

Mr. COPELAND. Mr. President, as I indicated yesterday in some brief remarks, I am very much disturbed about prison conditions in the United States, not alone in general but with reference to the Federal prisons. Because of the anxiety I have regarding the conditions in the prisons and the general revolt of convicts, I believe it is time that those in authority gave thought to the situation.

I ask that there be inserted in the Record in connection with my remarks three editorials from the Washington Herald of April 25, April 26, and May 5, relating to prison horrors. I ask also that there be inserted in the Record a very remarkable

article by George W. Alger in the current number of the Atlantic Monthly on The Revolt of Convicts.

I am sure that when these editorials and this article are read and when a study is given by Senators to the matter, there will be given attention to the recommendations of the President as regards the necessity for reform in our Federal prisons. I trust that the editorials and the article will be read by Senators and serious thought given to the subject.

The VICE PRESIDENT. Without objection, the editorials and article will be printed in the RECORD, as requested.

The matter referred to follows:

[From the Washington Herald, April 25, 1930]

WHERE ARE CRUEL SELFISHNESS AND COLD-BLOODED INDIFFERENCE
LEADING PEOPLE OF THIS NATION?

The prison system of the United States is an unendurable disgrace to a civilized country.

Ours is the only civilized, or semicivilized country, where such conditions exist.

Our jails are "Black Holes of Calcutta," reproduced repeatedly all over the country in State and Federal prisons.

There are three and four times as many convicts in these prisons as the prisons are built to hold.

The prisoners sleep six and eight in a cell; and the crowning infamy of our system is that young, inexperienced prisoners are crowded in with hardened criminals, to learn all that such contact will teach them and to be graduated in crime.

The poor, blind prohibitionists, in their folly and fanaticism, have sent thousands of comparatively innocent people to jail for some trifling offense against the unreasonable provisions of outrageous prohibition legislation.

And there these prisoners, unconfirmed in crime, are crowded into cells and made to associate with criminals until they, too, in their vicious association, and in their resentment against cruel laws and unjust government, become criminal menaces to society or communistic disturbers against a hated social system.

And not only are our jails so overcrowded, and helpless convicts so packed into cells, but more and more citizens are constantly being sent to jail, and the Nation and the various States are hurrying the completion of more prisons and larger prisons to hold the continually increasing number of prisoners, of all ages and conditions and of varying degrees of guilt or innocence, who are being herded into prison.

In the meantime, other nations with better social systems are decreasing their jail population and abandoning prisons which are no longer used or needed.

Why are convicts decreasing in other countries while in our country the number of convicts is increasing at the rate of from 10 to 20 per cent every year?

In the first place, all sorts of people are thrown into jail for all sorts of offenses, great and small; sometimes for trivial offenses; sometimes for offenses which should properly be negligible.

A few weeks ago a woman was sent to the State's prison in New York for life for stealing a coat.

Yesterday in St. Louis two men were sent to prison for five years for making themselves an alcoholic beverage.

To-day every lawmaker is a Draco and every judge a Rhadamanthus. And every day more laws are being passed, making more mere misdemeanors criminal offenses and imposing jail penalties for every trifling infraction of every oppressive statute.

In the second place, everything is being done to punish crimes and misdemeanors and even innocent errors, and nothing is being done to prevent such errors and evils.

"An ounce of prevention is worth a pound of cure," says the old adage. And surely an ounce of prevention is worth a thousand pounds of penalties which do not cure.

Yet no program of prevention is proposed, but instead more offenses are created and more penalties are added every day until our jails are overflowing, and miserable convicts revolt against intolerable conditions or are burned to death by hundreds as a hecatomb to the injustice of our legal system, the incapacity of our lawmakers, and the callous indifference of our people.

All the atrocities of the Spanish Inquisition combined into one hideous auto-da-fe would not equal the shameful horror of the burning at the stake by incapacity and brutality of 317 helpless fellow men who, after all, had offended against our social organization less than it had offended against them.

While these unfortunates were writhing and roasting in their iron cells, keepers and trustees stood by jingling their keys and refusing to release them, fearing the judgment of men and forgetting the judgment of God.

There is something other to be done in the present deplorable criminal and penal situations than merely to make more jails.

We have got to make less convicts.

We have got to create a social system which will make more good citizens and fewer criminals.

And then we have got to end the mistaken legislation which sends people who are not accustomed lawbreakers to colleges of crime, where by evil association and wicked influence and by reason of rank and ranking injustice they become hardened and defiant criminals.

Furthermore, we have got to send fewer shallow demagogues to Congress to pass wholesale penal legislation simply because they have not the conscience nor the competence to devise effective remedial legislation.

Finally, we have got to free honest and conscientious legislators from the dire influence of organized bigotry, stupidity, and hypocrisy, continually crying for more victims to be sacrificed on the altars of narrow prejudice and visionary, if not vicious, purpose.

How can this Nation hope to hold its place as the leader of world progress in the face of the futility of our social legislation and the crass dullness and selfishness of our social organization?

It is time for the brains of the Nation and the heart of the Nation and the humanity and true Christianity of the Nation to take control of matters social and political, and make of our social system something more than a breeding pen for convicts and communists.

Otherwise our fat and fatuous ruling classes, who apparently do not care what happens as long as it does not happen to them, will go the way of the Russian autocracy and wake up one fine morning to find that something can happen to them.

WILLIAM RANDOLPH HEARST.

[From the Washington Herald, April 26, 1930]

The Hearst publications appeal to the United States Senate to heed the awful warning of the prison holocaust at Columbus, which has disgraced the State of Ohio, humiliated the American Nation, and shocked the civilized world.

This the Senate can and should do by promptly passing the group of prison bills, which recently passed the House, to prevent a repetition in a Federal penitentiary of the preventable horror that has cost the lives of at least 320 inmates of the Ohio penitentiary and injured many more.

All of the dead and all of the injured at Columbus were locked in their cells long after they could have been saved had their keepers not been so callous or too cowardly to surrender the keys.

All of the dead and all of the injured were the victims of prison conditions for which the government and people of the State of Ohio have long been wholly to blame.

For the last 15 years the warden of the Columbus prison has been in charge of the most overcrowded and one of the most idle and mismanaged penitentiaries in this or any other country.

The Ohio penitentiary was first established at Columbus in 1830. Although added to from time to time the building was never fireproof. Built to accommodate less than 2,000 its cells held 4,300 the night of the fire.

Nor were these ugly facts unknown to the government and people of Ohio. Year after year they have been laid before the Ohio Legislature, only to be ignored. As late as last August they were broadcast to the American people by the National Society for Penal Information. Its handbook, issued then, said:

"The ancient plant at the State penitentiary in Columbus, one of the largest prisons in the country, suffers from a condition of overcrowding worse than in any other prison. The need of another institution in the Ohio penal system has been apparent for many years."

But the warning of the National Society for Penal Information fell upon deaf ears.

As late as last March the president of the Prisoner's Relief Society at Washington submitted to the Governor of Ohio a pile of affidavits charging the grossest kind of corruption in the administration of the Columbus prison. These affidavits charged that the prisoners were compelled to pay their keepers for food, for blankets, for good-behavior certificates, even for recommendation for parole.

But the warning of these affidavits also fell upon deaf ears.

And as a result 320 helpless inmates pay the penalty of death. Ohio pays the penalty of disgrace and the American people pay the penalty of humiliation in the eyes of the world.

But the Federal Government can not point the finger of scorn at the State of Ohio until conditions in Federal penitentiaries are alleviated.

It was overcrowding and idleness that caused the outbreaks in Federal penitentiaries last summer, when the average daily population of the larger institutions was far above their normal capacity.

Since that time the population of Federal prisons alone has increased from more than 10,000 to more than 12,000, which means that the overcrowding and idleness now are worse than they were then.

The legislative program pending before the Senate provides:

First. For a wider and more effective use of probation.

Second. For expediting action on parole cases.

Third. For permitting the establishment of additional road camps and prison industrial projects.

Fourth. For selecting sites and drafting plans for new institutions where inmates can be put to useful work and prepared for future citizenship instead of being condemned to idleness and trained in criminality.

The House passed these prison bills early in the year. The Senate should pass them without any more delay.

Surely the warning of the Columbus holocaust will not go unheeded by the United States Senate.

Surely the awful and unnecessary death suffered by those 320 inmates of the Ohio penitentiary will touch the heart and quicken the conscience of every one of the able men and good Americans in the United States Senate.

[From the Washington Herald, May 5, 1930]

OHIO'S PRISON HORRORS WERE KNOWN BEFORE FIRE; WHAT POLITICAL GANG CAUSED THE STATE'S SHAM?

A dozen times all the deplorable conditions which resulted in the Ohio Penitentiary fire have been brought to the attention of the Ohio government officials.

They have been told that the prison was inadequate, unsafe, insanitary.

They have been repeatedly told by responsible commissions and welfare organizations that the prison was a fire trap, a constant menace to the lives of the prisoners.

They have been told of the graft and thievery which prevailed throughout the whole institution and the whole State-prison system.

They have been told that the convicts had to pay for everything.

They had to pay for food, for blankets, for good-behavior certificates; even for recommendations for parole.

What political gang is responsible for the inefficiency and corruption in Ohio's prison system?

What crooked politicians compose the gang?

What Ohio political judges stand ready to throw honest newspapermen into jail if the gang is exposed?

What obligations has the governor, if any, to the dominant political machine of Ohio?

What is holding the governor back from a genuine investigation and a vigorous performance of his duty for the honor of the State?

The political system of Ohio has become a stench in the nostrils of the Nation.

If Ohio's prison system and Ohio's political machine are as rotten with graft as responsible investigators have declared them to be, why do not the governor and the government and the press and the people of Ohio take steps to remedy these corrupt conditions and to expose the grafters?

Surely the light from the burning bodies of the wretched convicts is enough to show the way.

A horror almost unequaled by anything in history has occurred, and is taken as a matter of course by the governor.

He even indorses the theory advanced by one of the political gang that the convicts burned themselves to embarrass the humane guards and the honest politicians.

The people of the United States do not agree with the governor's theory of the fire, nor approve of the governor's plan to protect corrupt politicians.

The public wants to know—

What political ring is back of Ohio's prison graft?

What government officials are in the ring?

Why can not the State of Ohio be purified even by fire?

Why are not all the facts brought to light?

Why are not all the guilty brought to justice?

The people of the United States believe that there are a lot of people in the politics of Ohio who would better be in jail than the 322 convicts who were burned to death.

Among those burned convicts were many in jail for trifling infractions of the liquor law.

Five of those burned to death were in jail for such a trivial offense as driving an employer's automobile without permission.

Some were there for murder, but none were there for having murdered 322 helpless fellow men.

Ohio needs a new penitentiary, but, more than that, it needs a new system; and further than that, it needs a new political system; and beyond that, it needs a new and decent political reputation.

It can get all these things by a little good citizenship and honest government.

And when Ohio gets its new penitentiary the Hearst papers respectfully suggest that the people celebrate that notable event by filling the new penitentiary with the old politicians.

[From the Atlantic Monthly, May, 1930]

THE REVOLT OF THE CONVICTS

By George W. Alger

I

The sensational prison riots of last year have had one quite unexpected, but desirable, reaction. They have aroused a belated feeling of public obligation for what is beyond question the most neglected of our great public institutions, the least touched by progress, the most subject to those countercurrents of opinion, prejudice, and passion which make enlightened policies difficult and sometimes impossible of attainment.

The Legislature of New York to-day is considering an expenditure of \$38,000,000 on its prisons. The riot in the Federal prison at Leavenworth hardly was over before President Hoover was announcing that he would recommend the appropriation of \$10,000,000 for Federal prisons. These are more than appropriations—they are confessions. And confession is good for the soul.

The extent of that neglect which characterizes our treatment of prisons and prisoners, and the reasons for it, need to be understood clearly. New York may serve as a fairly concrete example.

Three of these great riots of prisoners have occurred in New York prisons—one at Dannemora and two at Auburn. The prison at Auburn was built in 1816. At that time, 114 years ago, James Madison was President, and during all these years it has been in continuous operation. Its grim cell block was built to reflect the purposes and philosophy of a penology of the stagecoach days and as a means of expressing that era's conception of what prison punishment should mean.

Sing Sing, New York's most widely known prison, was built in 1825 when James Monroe was President, and its fearful cell block was abandoned only within the past year. Now a large part of its old, damp, dismal cells once more are filled with the overflow population from other prisons for whom not even cells elsewhere are available.

The Clinton Prison at Dannemora was built somewhat later, in 1840; built, however, on the model of the old prisons at Auburn and Sing Sing, and its cell block is substantially the same.

The cell blocks in these prisons are made of the solidest masonry. They can last for centuries. Most well-built buildings disappear with us not because they become insecure or dangerous with age but because the ideas which they represent become obsolete; because they stand in the path of progress and have to give place to forces representing new and better ideas, changed conditions, and plans for better futures. These prison cell blocks represent the triumph of the obsolete over time and change.

Before considering the cell blocks themselves in another connection, let us remember this: The world of 1816, when Auburn was built, was a harder world; it had fewer of what we now call the common necessities; the common run of mankind daily experienced hardships unfamiliar to poor vagrants of to-day. The convict of 1930 is put in the same slit in the masonry wall which was designed to punish the convict of 1816.

What, then, are these cell blocks? Imagine a very large room, in the middle of which is a huge oblong box of masonry not connected with the sides of the room. As you walk along the floor, you pass a succession of little doorways in this box with grilled iron doors. These are the ground-floor cells. What little light may stray into them from the high windows of the great room itself, in which the box is placed, is largely cut off by the shadow of the iron platform which is fastened in the wall just above the door tops; such platforms provide entrance ways, each for the next higher tier of cells, reached, in turn, by a stairway at the end of the block.

The largest of the old cells at any of these prisons is at Dannemora. It is only 4 feet wide, with a cot which occupies most of the space; a fairly neat fit, like a coffin in a grave. This brick-lined room is little over 7 feet deep and less than 7 feet high. It is unventilated; it is without toilet facilities of any kind. Each convict carries a tin bucket with him when he marches to his cell at night.

This cell, moreover, is the only place of privacy which the prison affords to the individual convict. Outside of it his associations are indiscriminate herd associations—with felons. Here alone he can reflect and revise, if he will, his distorted outlook on life, in an atmosphere surcharged with the fetid stench of his own excrement.

However much these prisons may or may not have changed in other details in the process of time, this aspect of the cells has never changed. They are the same sequence of horrible holes to-day in Auburn as in 1816, in Sing Sing as in 1825, and in Clinton as in 1840.

It may be urged that cell blocks are deplorable, of course, but not supremely important. "A modern prison," some one observed, "can be maintained even in an old building. The daily life of the prisoner, his discipline, is or may be quite a different matter and is far more important than the cell where he sleeps. He should rise above his unfavorable environment."

What are his incentives to rise?

II

Before James Monroe was made President, New York enacted a law providing for wages for prisoners as a reward for industry, as a means of reformation, as well as a means of reducing to a minimum the taxpayers' burden.

"Whereas," said the quaint preamble to the law of 1816, "it is believed that a habit of industry is the best preventive of vice, to encourage which habit of industry in the criminals of the State, whom the State is desirous of reforming, it may be useful to allow them a reasonable portion of the fruits of their labor, to be set apart for them or their families * * *." This was, no doubt, a radical idea in the penology of 1816. Can anyone, even the most resolute member of the vindictive school, question its soundness as a wise principle?

In time for Christmas, 1929, Emil Totterman, who had served 25 years in the State prisons of New York, was pardoned. He was 52 years old. Handed to him, as he left Sing Sing to face the outside world, none too easy at best for the ex-convict, were the accumulated wages which had been earned by him in those 25 years of prison life. He had been an able-bodied man, had worked at such prison industries as the prison afforded, and he received the full wage allowed by law. His accumulated wages were \$45.26. His wage scale had been at the rate of 1½ cents a day. Even the most optimistic believer in progress can hardly be cheered by the development of this "sound" idea of wages for prisoners in the 114 years since its first inception in 1816.

Let us retrace our steps to the cell block. I remember asking a question about these cell blocks, a few years ago, of the secretary of the Prison Association. This is a very old organization which, by its charter, is required to make a report and recommendations to the legislature each year. I asked him if he could tell me how long ago this organization first began to recommend abolition of these cell blocks to the State legislature. He told me that he was quite sure that such recommendations had been made for 50 years.

The convict is the stepchild of the State. He is not a voter and forms no part of any statesman's clamoring constituents. On the appropriation bill he comes last. The convict can always be made to wait. It has always been so.

I also remember asking the head of Elmira Reformatory three years ago what special recommendation he needed for the improvement of the reformatory. "The brick shop and foundry," he replied. "This building is used by from 100 to 300 boys learning the masonry trade; it is not only very old, it is unsafe. It has been condemned by the State architect and by the prison commission over and over again. It can not be heated and work has to stop in winter. A new building has been needed for many years. Nothing has been done about it."

I could give a dozen other New York illustrations of the same kind. It would be entirely wrong, however, even to suggest that the policy of prison parsimony is confined to that State. It is the usual thing and not the exception. If a few years ago Auburn Prison, for example, wastefully operated 14 separate boiler plants, other States could duplicate this folly. Patching old prison plants instead of building needed new ones is not a localized New York policy.

One more illustration and I shall have passed from what is bad to what is no better. We have heard much about the increased cost of living and the reduced purchasing power of the dollar in meeting the food requirements of the family larder. One family in New York, at least, and alas, a very large family, tells a quite different story. The food in New York State prisons now costs, on the average, 7 cents per meal for each person. It cost 7¼ cents per meal in 1868! A still further triumph of economy could be accomplished, we are told by experts, if a cafeteria were installed and those prisoners who fail to find their poor and monotonous meals appetizing did not have set before them, as now, the food they will not eat.

None of the conditions to which I thus far have alluded are particularly new. Prisoners living under such conditions perhaps are not without good reasons for bad actions. The general atmosphere of old prisons is far from cheering at best, but there are new circumstances to make things worse. These new circumstances helped to cause the explosions of resentment which at last have aroused public interest in the condition of their prisons.

III

The first cause is overcrowding. For a decade, we have been disturbed and perplexed by the strange growth in our criminality. It is particularly an American problem. England has been closing prisons for which she had no need. Her criminal statistics show a distinct falling off in crime. European conditions generally are not unlike those in England. The contrast with us is sometimes rather startling. A few weeks ago, for example, the steamship *Bremen* brought \$6,000,000 in gold to the port of New York. The boat was met at its pier by armored cars, a cordon of armed policemen, and two machine guns. The gold left the boat in New York under this most rigid police protection. It had been carried to the boat at Bremen in an ordinary truck, with one driver and a helper and no police whatsoever!

I shall not attempt to discuss here the general problem of crime which perplexes us all—the development of gangs, the hijackers, the racketeers, or the relation of the prohibition law to lawlessness. I shall not attempt to say whether, on the whole, we are or are not showing resourcefulness or intelligence in the ways and means of checking our very real crime wave. One aspect of this crime wave is quite obvious. An irritated public opinion for the moment has accepted quite heartily as a remedy increased severity in punishment for those criminals who are caught. We are filling old prisons with new prisoners in large numbers, carrying longer terms.

I have spoken at some length concerning the ordinary prisoner's life in prisons which are themselves relics of barbarism. In New York the prison population in State prisons has increased over 1,700 in the past four years. On July 1 of last year the four State prisons had a population of 6,631. There were almost 1,000 more prisoners than cells. In the whole State prison system there are only 2,866 cells which can

be described as modern in any sense, the remainder being those which I have pictured at Auburn, Dannemora, and Sing Sing.

The Federal penitentiaries at Atlanta and Leavenworth are adapted for only one-half of their present population. If the New York prison system is bad, if its buildings are anachronisms, if its industrial plants for prison labor are inadequate, if its old cell blocks are atrocious, the Federal system, so far as overcrowding is concerned, is much worse.

A special committee of the House of Representatives found in January of last year that the penitentiary at Atlanta, with a normal capacity for 1,712 prisoners, was actually housing 3,107. Leavenworth Prison has no greater capacity than Atlanta, but has or had 3,700 prisoners, or over double its cell accommodations. All of these prisoners were idle except for about 800, for Congress had not provided work for more than that number.

When eighteenth-century England had no law enforcement, when the dark city streets at night and the unprotected country highways were full of robbers, when the average innkeeper was more than likely to be an accomplice of highwaymen, and the chance of capture was negligible, her criminal law made up for its feebleness by its barbarity in the punishment of the occasional miscreant who happened to be caught.

A much irritated American public is in a similar frame of mind and seeks strenuously to apply, in the age of the automobile, a remedy which was found ineffective in the days of the stagecoach. Longer sentences by the removal of judicial discretion, made mandatory by recent statutes, life sentences to those guilty of a fourth offense, the removal of the substance of authority in parole officers to shorten sentences for good conduct—all are being tried as nostrums for the cure of crime.

The prisons in States which, like New York, are for the moment following this shortsighted policy are full of these long-term prisoners, bitter, vindictive, without hope. Outbreaks such as have occurred in these overcrowded prisons were practically inevitable. They were almost equally to be expected, but for somewhat different reasons, in the far more overcrowded Federal prisons at Leavenworth and Atlanta.

While these new harsh laws have been in operation less than four years, the facts concerning their operation are already adequate to show their ineffectiveness, injustice, and undesirability. Hard and fast statutes devoid of flexibility are particularly dangerous in criminal law. The savagery of old English criminal law led to extreme efforts of avoidance to mitigate the injustice in particular cases, especially the development of purely technical loopholes of escape, which, in operation, became precedents, and which have survived as stumblingblocks to the criminal law of this country for over a century, long after the reasons for their existence were swept away.

In like manner ways of avoiding these new life sentences are being developed by courts and district attorneys. An analysis, moreover, of the careers of criminals who have received life sentences shows, in New York at least, that few of the criminals to whom they have been applied had been particularly conspicuous as leaders in the underworld.

No one knows, ever, the exact relation between severe punishment and prevention of crime. We all know at least this: That England, where punishment is far less severe but far more prompt and certain, is registering a great reduction in crime, and that with us the barometer constantly is rising. England relies, apparently, upon continually improving her methods of detection, upon greater certainty of punishment, and not upon the severity of punishment. The results all are in favor of the English system. I have discussed this aspect of the matter in a previous paper and shall not refer to it again here. (*The Irritating Efficacy of English Criminal Justice, in the Atlantic for August, 1928.*)

As I have said, I am not attempting to consider our crime problems other than those primarily connected with prisons. So long as we are satisfied with the friendly association of crime with politics in a dozen different relationships; so long as political parties in control of our cities consider it more expedient to ally themselves with, to encourage and enlarge, the underworld of crime than to join with the forces of decency; and so long as we find it more expedient to make our so-called police court a disgrace to our civilization and our chiefs of police and district attorneys the pliant tools of politicians and political deals, we must expect conditions such as exist in so many of our large cities to continue. Merely giving harsher sentences to those who have failed to slip through the large meshes of political escape will afford to us no more relief than a mustard plaster on a cancer.

IV

There are plenty of reforms needed in our prisons, reforms long delayed. The urgent question with us just now is how to get full value out of this momentary public interest in prisons, which is due to these revolts of prisoners in Dannemora, Auburn, Leavenworth, and Canon City. What are the main things needed?

Here is a partial list. There is nothing new on it, nothing which has not been recommended over and over again by prison experts for years.

We need more and better prisons, which also means smaller prisons or prisons in which segregation is made possible. The sheer stupidity of applying all sorts of psychiatric tests to the study of the individual prisoner, ascertaining his mental and emotional qualities, and then put-

ting him back in a boarding house for crooks, with two or three thousand felons, is so apparent that it needs no comment. Potential classifications which are not followed by classes are a waste of time and money. Large boarding houses for felons may seem to be cheaper to operate, but they become postgraduate schools in crime and cost society far more in men and money in the long run. At the very basis of any real prison reform are a scientific study of the individual and the segregation of prisoners in appropriate groups in prisons adapted for their type.

Industries are needed for prison labor, intelligently selected, and a suitable prison wage as an incentive to habits of industry and an aid to the reestablishment of the ex-convict in a none too friendly world. The problem of prison labor is not a simple one, to be sure, but the results obtained compared with what might reasonably be expected are almost incredibly bad. The popular notion that this is due to the opposition of organized labor is without foundation. With adequate machinery, wisely selected industries, and a halfway intelligent management, entirely different results could be obtained. Willingness to work is a fair test of character and reformability. Moreover, even the most vindictive opponent of aid and comfort to criminals must admit that there is something lacking in the policy of giving to a convict at the end of his term only a ticket to some point in the State and \$10 to reestablish himself in a world where he has a bad name and no references whatsoever.

It is true, of course, that most of our criminal law is based upon the theory that punishment prevents crime. It may be a comfort to us to think, when we send a robber to prison, that various worthy citizens who were on the point of becoming robbers change their minds accordingly. It may be that they do. It possibly is true to some extent that the rigor of criminal law does protect society by preventing crime. That is a principle of optimism as old as the hills. It is bound to remain the basis upon which the police, the criminal courts, and the prisons, as places of punishment, operate. The human scarecrow protects the corn of society.

But the prisoner is something besides a scarecrow. He is also a human being. Unless we are prepared to keep him in prison for life at our expense, what the prison does to him—whether he comes out a confirmed criminal to resume his antisocial activities and again becomes a menace to society and a problem for the police and the criminal courts, or whether he becomes so rehabilitated as to develop into a halfway decent person—is a quite different matter.

These problems, moreover, grow more important as the years pass. They are pressing for new solution. We know more to-day about the human being, physically, mentally, and emotionally, than at any previous period. We babble in a new jargon of psychology and psychiatry and our shelves are full of new books on mental science; our lecture halls are crowded with listeners to the learned exponents of new theories which concern the previously uncharted soul of man.

The more light we receive from repeated studies of the character and make-up of the individuals who constitute our prison population, the more unsatisfactory and archaic become our prison systems except to those to whom the eighteenth-century scarecrow principle of prisons is all-sufficient. Our failure to make progress, where progress is possible, to make prison programs advance, is due in the main to the steady resistance of those who still believe that the program of modern penology is a mysterious formula for mollycoddling malefactors, and who insist on outworn remedies for crime. It is a transitional period in which warfare is on between the upholders of the old scarecrow theory and those who bring to the problems of crime wisdom, surrounded, alas, too often with a panoply of new and mysterious scientific words.

Here is an illustration of that warfare. A few years ago a convict named Alphonso Monjo finished his latest term in Sing Sing prison. When his case came up before the parole board, Warden Lawes wrote to the board: "In my judgment, this is a man who is unquestionably a mental defective and should be, for the safety of the community, restrained. We have communicated with the Commission on Mental Defectives and they can not accept this man at Napanoch because of an overcrowded condition. It seems to me that this type of man, for the benefit of all concerned, should, if possible, be sent to an institution for mental defectives."

Six months later Monjo was back in Sing Sing again, this time with a life sentence for robbery as a fourth offender.

In this case the new penology said, in effect, through the views of the warden: "Here is a man who should not have been in prison in the first place. He should have been sent to an institution for the feeble-minded for permanent custodial care." The old penology replied: "This man must be punished for the protection of society. He committed a crime. He was mentally able to qualify under the legal standard of criminal responsibility. He knew the nature and quality of his act (robbery) and knew that it was wrong."

So this mentally defective convict will be kept for life in a prison for punishment instead of in an institution for the mentally defective. There are plenty of other misfits like him in our prisons. They make new prison problems themselves and prevent other prison problems from being solved.

Our failure to distinguish between one convict and another as human problems, our failure to act on this obvious distinction, our insistence

upon treating them all as one abandoned class, are something which, unless checked or changed, will cost our communities further wastage in human material and untold millions of unnecessary expense.

Here is an illustration: Since the prison riots, as we noted, New York is earnestly considering a new prison. Some of the prisoners who may be placed in it doubtless will be very vicious and dangerous characters, likely to try desperate means of escape. Attica, the new prison, is, for the moment, being planned as though each and every prisoner in it would be of this type. Heavy steel cells, enormously expensive, are being considered, with safety to the community further assured by an enormous curved wall around the prison which itself will cost considerably over \$1,000,000. Nothing seems overlooked in the picture except a ball and chain for each prisoner and the leg irons still in vogue in the road gangs of the eighteenth-century South. It is solemn nonsense, and very expensive nonsense at that.

Science in the study of the individual prisoner has been wholly wasted when its results are cast aside in this fashion. The crying needs of prison industries may be starved to make these absurd walls and steel cells possible.

V

All of which brings us to the last of our present prison problems—the problem of parole. The acid test of a prison is the kind of man that comes out of it. A school whose students always return to learn again the same lesson is a poor school. Parole, as an ideal, is old enough. As an effective ideal it has remained almost untried. It is simple as a principle. It is difficult as practice. Its successes or failures are bound to depend, of course, upon the human material with which it deals. That something never can be made out of nothing obviously is as true of human beings as it is of algebraic formulae. But with all its past failures parole is of greater importance to-day than ever before.

After all, no matter how scientifically a prison is built, no matter how well run, no matter how adequate the prison industries in it may be, the real test of its value is not the prisoner within the walls but the prisoner who leaves them. History repeats itself until its lessons are understood.

It may seem to many of us quite a simple matter to save society by putting more and more men and women in prison and keeping them there for life. But it is bound to be very expensive. We are increasing by leaps and bounds the cost of incarceration for defective delinquents, for the feeble-minded, for the border-line felons now in our reformatories and prisons who should always remain in some form of permanent custody.

Sooner or later we shall be forced to take up the business of putting on a scientific and organized basis the process of selecting in our prisons those who, with safety to society, can be at least tested by extramural supervision as a probationary step toward ultimate release. No better means can be devised to make our prisons into failures, except as boarding houses for undesirable guests, than our present method of releasing prisoners.

Consider our current practice. We assume that punishment, particularly if severe and of long duration, will inculcate on the mind of the convict the undesirability of ever breaking the law again. We disregard the mental, emotional, and physical defects which may have been largely responsible for his offense. We give to him, as I have said, \$10, his pathetic wages, a ticket to some point in the State, a suit of badly made clothes, and a bad name, and expect a miracle. He has been out of touch for years with the life outside prison walls. This February, for instance, a man was released from Sing Sing prison who had not worn a collar in 20 years and had to be helped to put it on. How far and how long can we expect his wages of \$35.98 to carry him in a world where even the common clothes of freedom are confusing to him? He may have relatives who are too poor and unhelpful to do anything for him.

We tell him that he must make reports once a month to a parole custodian who from time to time may see him, and whose facilities for helping him are exceedingly meager; and we indulge in the fanciful speculation that such a man, under these difficulties, ought to leave a life of crime and go to work before his meager funds are spent. If he does not do this, we shall attribute his failure to his natural wickedness and put him back in prison again.

An inadequate conception of the function and possibilities of parole is the main reason why all our States, with the recent exception of Illinois, have failed to finance it sufficiently to make its success possible. For example, the average number of prisoners now on parole in New York from its prisons and reformatories is about 3,800. They would cost if kept in prison \$1,387,000 a year. What does the State spend per year to make the transition from prison to freedom less impossible? Roughly, \$91,000. It should not take a great deal of imagination to realize that this is absurd. A staff of 28 poorly paid parole officers, four of whom are not doing parole work in any real sense, are expected to do all that is necessary to be done by the State in this terribly difficult transition period to help reestablish these men in society; or, at least, to find out by some form of clairvoyance whether they are falling into evil ways, and, if so, to take them back as parole violators to the prisons from which they came.

New York might well stop a moment in its prison-building program of some \$38,000,000 to consider whether an enlightened and adequately financed parole system should not be a part of this program, as a proper substitute for a fair part of the capital expenditures otherwise required for the prisons themselves, instead of resolutely closing its eyes to the fact that the problem of the prisoner released will still remain, no matter how many of these millions are spent on steel cells and 36-foot walls and extra guards. A revision of the antiquated and absurd Federal parole system is now part of the program of Congress for Federal offenders.

Consider an analogy: A few generations ago we had orphan asylums for dependent children. We herded them together in uniforms and homely gingham dresses and took them to one church or another on Sundays and gave them about the most cheerless substitutes for childhood then known to the philanthropic mind of man. Most of the children turned out to be poor dead souls, stamped with what we now call inferiority complexes. These interesting institutions mostly are gone.

We found it was better and a great deal cheaper to place the children in individual homes, to employ competent staffs of social workers to inspect these prospective homes, and to visit children in them after placement. The orphan asylum is an anachronism. Let us reflect, however, on how many millions we should be spending to-day, and with what inevitably poorer results, if this new way of thinking had not been tried and found successful and the old orphan asylums had not been given up.

It may seem almost sacrilegious to make a comparison between the dependency of innocent and unfortunate childhood and the lawbreakers in our prisons, and it is if one insists upon considering the average prisoner as quite normal and as simply wicked. If, however, one cares to be realistic about it and to study the facts now fairly well known as to the mental and physical equipment of our convicts, the analogy is not so far-fetched. They need guidance and help almost more than any other class if they are not to be permanent inmates of our institutions. They do not get this help.

Extramural supervision of ex-convicts for continuous periods on a large scale, not only to aid them in meeting their own handicaps but more especially to protect society against those who persist in criminal careers, is a program yet to be tried. It will have to come as the burdens of prison cost mount higher and higher, since it is the only available substitute for the treadmill process of more prisoners in more prisons and for longer terms.

If the revolts of the convicts can hold public attention long enough, at least some of these long-needed reforms may be made, and the blot of anachronism may pass from our prison and from the method by which they are operated.

REPORTS OF COMMITTEES

Mr. WATERMAN, from the Committee on Patents, to which was referred the bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, reported it with amendments and submitted a report (No. 626) thereon.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 9939) authorizing the Secretary of the Interior to lease any or all of the remaining tribal lands of the Choctaw and Chickasaw Nations for oil and gas purposes, and for other purposes, reported it without amendment and submitted a report (No. 627) thereon.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 163) to carry out certain obligations to certain enrolled Indians under tribal agreement, reported it with an amendment and submitted a report (No. 628) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 134. A bill authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes (Rept. No. 629); and

S. 4085. A bill to authorize the use of a right of way by the United States Indian Service through the Casa Grande Ruins National Monument in connection with the San Carlos irrigation project (Rept. No. 630).

Mr. WHEELER, from the Committee on Indian Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1785. A bill providing for the construction of roads on the Blackfeet Indian Reservation in the State of Montana (Rept. No. 634); and

S. 4002. A bill providing for the construction of roads on the Rocky Boy Indian Reservation in the State of Montana (Rept. No. 635).

Mr. COUZENS, from the Committee on Interstate Commerce, to which was referred the joint resolution (S. J. Res. 161) to suspend the authority of the Interstate Commerce Commission to approve the consolidations or unifications of railway properties, reported it with an amendment and submitted an adverse report (No. 631) thereon.

Mr. HAWES, from the Committee on Interstate Commerce, to which was referred the bill (S. 4205) to amend paragraph (6) of section 5 of the interstate commerce act, as amended, reported it with an amendment and submitted a report (No. 632) thereon.

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (H. R. 1793) for the relief of Albert L. Loban, reported it without amendment and submitted a report (No. 633) thereon.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day that committee presented to the President of the United States the following enrolled bill and joint resolution: S. 2076. An act for the relief of Drinkard B. Milner; and

S. J. Res. 135. Joint resolution authorizing and requesting the President to extend to foreign governments and individuals an invitation to join the Government and people of the United States in the observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va.

REPORTS OF NOMINATIONS

As in executive session,

Mr. WATERMAN, from the Committee on Patents, reported the nomination of Elonzo Tell Morgan, of West Virginia, to be an examiner in chief in the Patent Office, which was placed on the Executive Calendar.

Mr. SMOOT, from the Committee on Finance, reported the nomination of Jeannette A. Hyde, of Salt Lake City, Utah, to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, Hawaii, which was placed on the Executive Calendar.

He also, from the same committee, reported the nomination of Robert B. Morris, of Houston, Tex., to be collector of customs for customs collection district No. 22, with headquarters at Galveston, Tex., which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORRIS:

A bill (S. 4391) for the relief of John Herink; to the Committee on Claims.

By Mr. VANDENBERG:

A bill (S. 4392) for the relief of J. H. McLaughlin; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 4393) granting a pension to Henrietta E. J. Hammer; to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 4394) granting a pension to James Curtis Bell; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4395) granting a pension to Eva F. Tice (with accompanying papers); to the Committee on Pensions.

By Mr. FESS:

A bill (S. 4396) to provide monuments to mark the birth-places of deceased Presidents of the United States; to the Committee on the Library.

By Mr. REED:

A bill (S. 4397) to permit naval and Marine Corps service of Army officers to be included in computing dates of retirement; to the Committee on Military Affairs.

A bill (S. 4398) to authorize the Comptroller General of the United States to adjust and settle the claim of the Commissioners on Uniform State Laws (with accompanying papers); to the Committee on Claims.

By Mr. GOLDSBOROUGH:

A bill (S. 4399) to regulate leaves of absence of employees of the navy yards, gun factories, naval stations, and arsenals of the United States Government; to the Committee on Civil Service.

A bill (S. 4400) to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md.; to the Committee on Commerce.

A bill (S. 4401) for the relief of Southern Overall Co. (with accompanying papers); to the Committee on Claims.

By Mr. ROBINSON of Arkansas:

A bill (S. 4402) for the relief of Peery Lamar Stinson; to the Committee on Naval Affairs.

By Mr. McNARY:

A bill (S. 4403) for the relief of volunteer officers and soldiers in the volunteer service of the United States who served in the Philippine Islands beyond the period of their enlistment, and for other purposes; to the Committee on Military Affairs.

By Mr. SHORTRIDGE:

A bill (S. 4404) granting a pension to Josephine Stombaugh; to the Committee on Pensions.

By Mr. WAGNER:

A bill (S. 4405) granting a pension to Emma Lester; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 4406) to provide for standard methods of grading and valuing cottonseed, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 4407) granting a pension to Oscar D. Baker;

A bill (S. 4408) granting a pension to William Fawcett Hardeman;

A bill (S. 4409) granting a pension to Wyatt E. Heard;

A bill (S. 4410) granting a pension to Charles W. McFaddin;

A bill (S. 4411) granting a pension to George W. Baylor;

A bill (S. 4412) granting a pension to James Whitecotton;

A bill (S. 4413) granting a pension to Sidney J. Baylor; and

A bill (S. 4414) granting a pension to Henry W. Baylor; to the Committee on Pensions.

By Mr. McNARY (for Mr. BROOKHART):

A bill (S. 4415) granting a pension to Phoebe O. Spenny (with accompanying papers); and

A bill (S. 4416) granting an increase of pension to Philena Marshall (with accompanying papers); to the Committee on Pensions.

PHILIPPINE INDEPENDENCE

Mr. COPELAND. I send to the desk and ask to have read a joint resolution, which I desire may be referred to the Committee on the Judiciary.

The joint resolution (S. J. Res. 174) proposing an amendment to the Constitution of the United States relating to Philippine independence was read the first time by its title, the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

After 10 years from the ratification of this article, and with the consent of the citizens of the Philippines, the Congress shall have power to relinquish sovereignty over the Philippine Islands and to transfer to the Filipino people all the territory in the Philippine Archipelago acquired by treaty with Spain.

Mr. COPELAND. Mr. President, my position with reference to the Filipino independence has been so misunderstood that I desire to make it clear by the introduction of this joint resolution proposing an amendment to the Constitution. I am not very keen about the adoption of more amendments to the Constitution, in view of some of those already in existence, but if we are to give the Filipinos their independence in a constitutional way, I exceedingly doubt if it can be done in any other manner than by an amendment to the Constitution.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on the Judiciary.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Agriculture and Forestry:

H. R. 7. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended;

H. R. 730. An act to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; and

H. R. 10877. An act authorizing appropriations to be expended under the provisions of sections 4 to 14 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

TRANSFER OF PROHIBITION BUREAU TO DEPARTMENT OF JUSTICE

Mr. TYDINGS submitted sundry amendments intended to be proposed by him to the bill (H. R. 8574) to transfer to the Attorney General certain functions in the administration of the national prohibition act, to create a bureau of prohibition in the Department of Justice, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENTS TO DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. McKELLAR submitted an amendment intended to be proposed by him to House bill 10813, the District of Columbia appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 2, after line 12, insert the following:

"That the Commissioners of the District of Columbia be, and they are hereby, authorized to continue William Tindall in the service of the government of the District of Columbia notwithstanding the provisions of the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, as amended."

Mr. HOWELL submitted an amendment intended to be proposed by him to House bill 10813, the District of Columbia appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 100, line 17, to strike out "\$9.85" and insert in lieu thereof "\$8.09." In line 20 strike out "62" and insert in lieu thereof "51." In line 24 strike out "40" and insert in lieu thereof "15." In line 25 strike out "\$8.75" and insert in lieu thereof "\$7.13." On page 101, in line 1, strike out "7" and insert in lieu thereof "6 1/2."

On page 101, after line 18, insert the following paragraph:

"For fire-hydrant rental tax, at the rate of \$46 per hydrant, \$234,600, said amount to be charged to the general revenues of the District of Columbia and credited to the water fund."

BETTY ALVERNA ODEN

Mr. SWANSON submitted the following resolution (S. Res. 259), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Betty Alverna Oden, daughter of Benjamin F. Oden, late an assistant clerk in the office of Hon. CLAUDE A. SWANSON, a Senator from the State of Virginia, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

EXECUTIVE MESSAGES

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On May 7, 1930:

S. 3249. An act to repeal section 4579 and amend section 4578 of the Revised Statutes of the United States respecting compensation of vessels for transporting seamen.

On May 8, 1930:

S. 3441. An act to effect the consolidation of the Turkey Thicket Playground, Recreation and Athletic Field.

ANALYSIS OF BOULDER DAM POWER CONTRACTS

Mr. PITTMAN. Mr. President, I have here a document, which has been prepared by the Secretary of the Interior, entitled "Analysis of Boulder Dam Power Contracts." I do not know whether or not it has been previously published in the RECORD, but if so I have not seen it. The analysis is short while the contracts are long, and I think the analysis should be published in the RECORD for the information of Congress. I ask unanimous consent that that be done.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

[Department of the Interior, Ray Lyman Wilbur, Secretary]

ANALYSIS OF BOULDER DAM POWER CONTRACTS

GENERAL

As required by section 4 (b) of the Boulder Canyon project act, the Secretary has made provision for revenues by contracts adequate in his judgment to insure payment of all expenses of operation and maintenance of the dam, power plant and incidental works, and the repayment within 50 years from the date of completion of said works of all amounts advanced to the Colorado River Dam fund for such works together with interest thereon made reimbursable under the act.

These contracts are three in number, two being contracts for electrical energy and one for storage of water. The first is a several, not joint, lease of units of a Government-built plant, executed by the city of Los Angeles, which will generate for the public agencies which are allotted 91 per cent of all firm energy and by the Southern California Edison Co. The second is a contract for electrical energy executed by the Metropolitan Water District of Southern California. The third is a contract for the storage of water executed by the latter organization.

One hundred per cent of the firm energy generated at Boulder Dam is guaranteed to be paid for under these contracts, although 36 per cent for Nevada and Arizona and 6 per cent for smaller cities must be yielded if demanded. The city's maximum obligation is 37 per cent

(13 per cent for itself, 6 per cent for other municipalities, and one-half of the 36 per cent allocated to the States until they use it). The company's obligation is 27 per cent (9 per cent for itself and other utilities, plus payment for one-half the unused State power until the States require it). The district's is 36 per cent. The total amounts received by the United States under the two power contracts (if the power rates of 1.63 mills per kilowatt-hour for falling water for generation of firm energy and 0.5 mill for water for secondary energy, fixed under the contracts, continue to be justified by competitive conditions when the rates are readjusted as required by the act) will vary between \$327,000,000 and \$361,000,000, depending upon the quantity of secondary energy and stored water sold.

The Metropolitan Water District is a municipal corporation now comprising 12 cities in southern California, with a taxable valuation in excess of \$2,000,000,000.

The city of Los Angeles is now in the power business, and its total payments for purchase of power from other sources which Boulder Dam energy will supplant are in excess of the amounts which will be annually due the United States. It is accumulating a satisfactory surplus in the operation of this power department.

The Southern California Edison Co. has assets in excess of \$300,000,000, is owned by 123,000 stockholders, and serves 450,000 consumers.

If these rates continue, performance by the two lessees will amortize the estimated cost within the required 50 years from completion of the dam, regardless of performance of any other allottee of power and regardless of whether any secondary energy or stored water is sold. Similarly, performance by the Metropolitan Water District and the city of Los Angeles, even if all other allottees fail, will accomplish this result. Similarly, performance by the company and by the district under its power and water contracts will suffice even if all other contractors fail. These statements are based on maintenance of the rates established in the power contracts; these rates are, however, under the terms of section 5 of the act, subject to adjustment 15 years from the date of execution and each 10 years thereafter, either upward or downward, as may be justified by competitive conditions at distributing points or competitive centers.

In the event that only two of these three primary contractors perform, postponement of amortization of some part of the flood-control allocation will be required, but such postponement is permissible under the opinion of the Attorney General.

Bonds for these specific contracts have not been voted nor issued by the city nor the district. Nevertheless, their contracts are adequate in view of the size and character of these municipal corporations, and to require a bond issue equal to the full obligation of their contracts would be a serious and unnecessary burden on them.

The rate fixed for storage of water for the Metropolitan Water District is 25 cents per acre-foot. The rate fixed for falling water for generation of primary energy is 1.63 mills; for secondary energy, 0.5 mill. The above estimates of revenues are necessarily subject to the control of section 5 (c) of the act, which provides for readjustment of power rates at periods as stated above. As the price as readjusted can not exceed the standard fixed by competitive conditions at distributing points for competitive centers, these estimates are necessarily conditioned on maintenance of the present prices of competitive energy.

On the basis of the rates now set and the estimated costs there will have been paid into the Colorado River Dam fund out of excess revenues during the 50 years following completion of the dam, as provided in section 2 (b) of the act, between \$29,000,000 and \$66,000,000, depending on the quantity of secondary energy and stored water sold.

During the same period there will have been paid to each of the States of Arizona and Nevada under section 4 (b) of the act between \$22,000,000 and \$31,000,000, depending on the same factors.

The amount which would be paid by the Metropolitan Water District for power and water under present rates, if they should continue to be justified by competitive conditions, during the 50-year period would vary between \$118,000,000 and \$130,000,000. The amount similarly paid by the city of Los Angeles and the smaller municipalities would vary between \$121,000,000 and \$133,000,000, and the amount similarly paid by the utilities for their smaller allocation would vary between \$88,000,000 and \$97,000,000.

None of these contracts become effective until the first act of Congress making an appropriation for construction of the dam has become law.

PARTICULAR PROVISIONS (REFERENCES ARE TO ARTICLES OF THE LEASE)

Machinery—Installation, repayment of cost, title and recapture: As required by section 6 of the act, title to the dam and power plant will forever remain in the United States.

Machinery will be installed and owned by the United States. (Art. 8.) As compensation for its use, the two lessees will pay an amount equivalent to the cost thereof, in 10 equal annual installments at the beginning of the lease period, amounting to a prepayment of rent for the whole lease period. This is in addition to the charge for falling water.

Under this arrangement no equitable interest in the machinery ever vests in the lessees, and in the event of recapture no payment will be owing to them on account of the original installation.

Operation of the power plant: The lease is a several, not joint, lease on separate units of a Government-built plant to the city and to the company (art. 10), operated separately by the two lessees under the general supervision of a director appointed by the secretary (arts. 10 c, 12).

The two lessees will generate at cost for all other allottees (arts. 10, 12). The cost will be determined by the secretary (arts. 10 iii, 12).

Repairs and replacements: In articles 12 and 13 the lessees assume the obligation to operate and maintain the plant, including the repairs and replacements, at their own expense; except that replacements made after the last readjustment of rates will be considered at the end of the lease period and compensation made to the lessees for the unused life of such replacements.

Provisions in favor of States: Under the allocation of energy made in article 14 Arizona and Nevada are each allocated 18 per cent, without the obligation to now contract for it. Each State may withdraw and relinquish energy in any amount until its full allocation is in use, on six months' notice if the amount required is 1,000 horsepower or less, until it has withdrawn 5,000 horsepower in any one year, and on two years' notice if larger quantities. Whatever right may be available to either State to execute a firm contract instead of accepting this drawback arrangement is left unimpaired. But under such a firm contract if, say, made for 33 1/4 per cent of the energy, the minimum obligation of the States over the 50-year period may be compared with minimum payments expected from the metropolitan water district for 36 per cent of the firm energy, which amount to \$118,000,000, a firm obligation whether the energy is wanted or not. All the contracts of the States for electrical energy, like the contracts of all other contractors, will be made directly by the secretary and enforced by the Government director at the plant. Generation for all allottees must be effected at actual cost, determined by the secretary.

Either State may increase its allocation up to 22 per cent after 20 years if the other State does not take its full 18 per cent by that time.

Generation for other contractors: Under article 14 the lessees undertake to generate at cost energy which the Secretary may contract to furnish to the other allottees, as follows: Metropolitan Water District 36 per cent of the firm energy plus all the secondary energy, plus first call or unused State allocations, all limited to use for pumping; 11 smaller municipalities, 6 per cent of the firm energy; the States, 36 per cent of the firm energy. The city of Los Angeles generates, in addition to these allocations, 13 per cent for itself. The company generates 9 per cent for itself and other public utilities. The division of the 64 per cent allocated California is in accord with agreements submitted to the Secretary by all these California interests on March 20 and April 7.

Quantity and rates for energy: Firm energy is defined as 4,240,000,000 kilowatt-hours (art. 15) based on the best available studies of the river flow over the past 35-year period, decreasing annually not more than 8,760,000 kilowatt-hours, in anticipation of increasing upper basin use. Additional energy is considered as secondary energy. Nevertheless, if the United States builds a higher dam and thus provides a greater quantity of firm energy it reserves the right to dispose of it to any municipality independently of the above allocations. The rate for falling water for firm energy is 1.63 mills; for secondary energy 0.5 mill (art. 16). These rates, as required by the act, will be readjusted at the end of 15 years and every 10 years thereafter, either upward or downward, as justified by competitive conditions at competitive centers but not to exceed the standard so fixed.

Minimum annual payments; load-building provisions: A minimum annual payment is required of each contractor for the firm energy allocated, equivalent to the number of kilowatt-hours allocated to it multiplied by 1.63 mills. Nevertheless to provide an absorption period at the beginning of each lease period the requirement for the first year is fixed at 55 per cent of the ultimate obligation, for the second year, 70 per cent, for the third year 85 per cent, and for the fourth year and subsequent years, 100 per cent. Energy taken in excess of these quantities will be paid for at the rate for secondary energy.

Duration of the leases: Under article 9, the first energy available (expected some time in advance of completion of the dam) shall go to the city, with the district commencing to take one year thereafter, and the company three years thereafter. Under article 26, all contracts terminate when the city contract ends, which means that the company is given a 47-year lease and the district a 49-year contract. Nevertheless, the rental paid by the company for its 47-year term is the same as that paid by the city for its 50-year term, per kilowatt of capacity; that is, an amount equal to the cost of the machinery used (art. 9).

Remedies of the United States: Under articles 19 and 20, generation of energy for any allottee in arrears must be stopped on demand by the Secretary. If the lessees themselves are in arrears more than 12 months or fail to furnish energy in accordance with the allocations to other contractors, the United States can enter and operate the plant, and, on two years' notice, terminate the lease and make other disposition of the power, subject to a 10-year right of redemption under the lease. This period of redemption is justified by the lessees' prepayment of rent

for the whole 50-year period in the first 10 years (art. 9), which leaves the United States in possession of the machinery as a substantial guaranty of performance.

A provision for posting of security bond when and if required by the United States is inserted in the district contract, as it provides no machinery.

Monthly payments and penalties: Under article 18, power bills must be paid monthly, subject to a 1 per cent penalty per month in arrears.

Interruptions in the delivery of water: Under article 21 the United States is not liable for interruptions in the delivery of water, but the power bills are reduced to the extent of such interruption. All contracts are made subject to the Colorado River compact, subordinating the use of water for power to use for irrigation, flood control, navigation, etc.

Measurement and record of energy: Records of energy generated and its distribution to the various allottees are to be kept by the lessees and reported monthly. (Arts. 22, 23.) Meters will be Government tested and inspected.

Inspection by the United States: Full right of entry and inspection of all machinery and books is reserved by the United States. (Art. 24.)

Transmission: The city agrees to transmit for the district and the smaller municipalities. The company agrees to transmit for the other utilities. Transmission for the States will be a separate problem, as the lines will run in different directions from those of the city, company, and district. (Art. 25.)

Title to remain in the United States: Under article 27 title to the dam, power plant, and incidental works, as required by section 6 of the act, remains in the United States forever.

Power reserved for United States: Five thousand kilowatts from each lessee is reserved for the United States for construction purposes on this or other dams. (Art. 28.)

Use of public lands for transmission lines, as provided in the act (sec. 5) is permitted. (Art. 29.)

Claims of the United States have priority over all others, as required by section 17 of the act. (Art. 30.)

Contracts between the city and the company now in force are modified so as to remove any restrictions on either of them from entering into this contract with the United States. (Art. 31.)

Transfers of interests under these contracts are forbidden without the Secretary's consent. (Art. 32.)

The contracts are subject to the Secretary's rules and regulations with a right of hearing to the contractors before modifications are made. (Art. 33.)

Agreement is subject to the Colorado River Compact. (Art. 34.)

Arbitration of disputes between contractors is provided; and also machinery for arbitration between the United States and contractors, if both the United States and the disputant agree to arbitrate. (Art. 35.)

Performance is made contingent on appropriations. (Art. 36.)

Modifications in favor of one contractor shall not be denied to another. (Art. 37.)

Members of Congress are excluded from benefits in the contracts, except as shareholders of corporations, in accordance with specific statutory provision.

THE CALENDAR

The VICE PRESIDENT. Morning business is closed.

Mr. McNARY. Mr. President, at the conclusion of the business on yesterday, we were considering unobjected bills on the calendar under a unanimous-consent agreement. I promised last evening that I would make a request to continue this morning the consideration of the calendar, beginning with Order of Business No. 566, until we should have concluded. I ask unanimous consent that the Senate now commence the consideration of the calendar, beginning with Order of Business 566, and proceed with the consideration of unobjected bills conformably to Rule VIII.

The VICE PRESIDENT. Is there objection?

Mr. STEPHENS. Mr. President, on yesterday two bills were reached and objection was made to their consideration. They are bills of a series; they are bills of great importance and relate to Federal prisons and prisoners. The Senator from South Carolina [Mr. BLEASE] made objection to the consideration of three bills. I understand from him this morning, however, that he is willing to withdraw his objection with reference to two of those bills, and, I repeat, as they are bills of very great importance, I should like to have it understood that we may recur to them.

Mr. McNARY. The proper course to pursue, I think, would be, first, to enter into a unanimous-consent agreement to consider the calendar, and then the Senator may ask specifically that the bills he has in mind be considered. I will gladly cooperate with him to that end.

Mr. STEPHENS. Very well; I thank the Senator from Oregon.

Mr. JONES. Mr. President, I understand the Senator from Oregon hopes to go through the bills on the calendar under the proposed unanimous-consent agreement within about half an hour. The Army appropriation bill is now on the calendar, and I should like to have it considered and passed. I do not think it will take very long. I am willing, however, to defer that, with the understanding that we will get through with the calendar in approximately half an hour and that I may then ask the Senate to proceed with the consideration of the Army appropriation bill.

Mr. McNARY. I appreciate the courtesy of the Senator from Washington.

The VICE PRESIDENT. Is there objection to the request submitted by the Senator from Oregon for unanimous consent to consider bills on the calendar? The Chair hears none, and it is so ordered.

FEDERAL PRISONS

Mr. STEPHENS. Mr. President, I ask that the Senate recur to Order of Business 537, being House bill 7832.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7832) to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

Mr. WAGNER. Mr. President, I should like to have an explanation of the bill.

Mr. STEPHENS. Mr. President, this is one of a series of bills designed to relieve unfortunate conditions in connection with the operation of Federal prisons.

Mr. WAGNER. I ask the Senator whether the bill involves the question of the use of prison labor to do work which otherwise is done by civilians?

Mr. STEPHENS. That question is involved; yes. The whole subject, however, was threshed out before the subcommittee composed of the Senator from Oregon [Mr. STEWART], the Senator from Rhode Island [Mr. HEBERT], and myself. Then it was submitted to the full committee, and the bill comes from the committee with a unanimous report. As the Senator knows, the Judiciary Committee is composed of men of many minds on certain subjects, but this measure has been reported to the Senate with, I understand, the unanimous indorsement of every member of the committee.

Mr. WAGNER. Mr. President, will the Senator consent to have the bill go over temporarily, in order that I may have a chance again to read its provisions?

Mr. STEPHENS. Of course, if the Senator objects, I will have to allow the bill to go over, for the proceeding is by unanimous consent. I will reiterate, however, that the very question the Senator refers to was threshed out in the fullest manner, and there was common agreement with reference to this particular measure. I think if the Senator would read the bill he would interpose no objection.

Mr. TYDINGS. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Maryland?

Mr. STEPHENS. I yield.

Mr. TYDINGS. As I understand, Order of Business 615, being House bill 8574, is not one of the bills to which the Senator from South Carolina objected yesterday and as to which he has no objection to-day?

Mr. STEPHENS. We have not reached Order of Business 615.

Mr. TYDINGS. I say that is not one of the bills to which objection has been withdrawn.

Mr. STEPHENS. Oh, no, it is not.

Mr. President, after the bill now pending has been given such full consideration by the Judiciary Committee as a whole, the Senator from New York ought to be satisfied to allow it to be discussed. If he objects, of course I will not insist on its consideration.

Mr. WAGNER. I merely want to be sure that the bill does not provide for the ordinary contracting of prisoners to perform labor.

Mr. STEPHENS. It does not, as I understand.

Mr. WAGNER. Upon that assurance, I make no objection to the consideration of the bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7832) to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States

prisoners; to establish Federal jails, and for other purposes, which was read, as follows:

Be it enacted, etc., That there is hereby established in the Department of Justice a bureau of prisons, to be in charge of a director, who shall be paid a salary at the rate of \$10,000 a year, and shall be appointed by and serve directly under the Attorney General. The officers and employees of the existing office of the Superintendent of Prisons; all official records, furniture, and supplies; and all of the authority, powers, and duties conferred by law or regulation upon the Superintendent of Prisons or any of his subordinates are hereby transferred to the bureau of prisons. The Attorney General shall have the power to appoint such additional officers and employees as may be necessary.

SEC. 2. The bureau of prisons shall have charge of the management and regulation of all Federal penal and correctional institutions and be responsible for the safe-keeping, care, protection, instruction, and discipline of all persons charged with or convicted of offenses against the United States: *Provided*, That the provisions of this act shall not apply to military penal or military reformatory institutions or persons confined therein.

SEC. 3. It shall be the duty of the bureau of prisons to provide suitable quarters for the safe-keeping, care, and subsistence of all persons convicted of offenses against the United States, charged with offenses against the United States, or held as witnesses or otherwise. For this purpose the director of the bureau of prisons may contract, for a period not exceeding three years, with the proper authorities of any State or Territory or political subdivision thereof, for the imprisonment, subsistence, care, and proper employment of any person held under authority of any United States statute: *Provided*, That such Federal prisoners shall be employed only in the manufacture of articles for, the production of supplies for, the construction of public works for, and the maintenance and care of the institutions of, the State or political subdivision of the State in which they are imprisoned. The rates to be paid for the care and custody of said persons shall take into consideration the character of the quarters furnished, sanitary conditions, and quality of subsistence. The rates to be paid may be such as will permit and encourage the proper authorities to provide reasonably decent, sanitary, and healthful quarters and subsistence for persons held as United States prisoners.

SEC. 4. If by reason of the refusal or inability of the authorities having control of any jail, workhouse, penal, correctional, or other suitable institution of any State or Territory, or political subdivision thereof, to enter into a contract for the imprisonment, subsistence, care, or proper employment of United States prisoners, or if there are no suitable or sufficient facilities available at reasonable cost, the Attorney General is authorized to select a site either within or convenient to the State, Territory, or judicial district concerned and cause to be erected thereon a house of detention, workhouse, jail, prison-industries project, or camp or other place of confinement, which shall be used for the detention of persons held as material witnesses, persons awaiting trial, persons sentenced to imprisonment and awaiting transfer to other institutions, and for the confinement of persons convicted of offenses against the United States and sentenced to imprisonment, with or without hard labor; for the detention of persons held for violation of the immigration laws or awaiting deportation, and of such other persons as in the opinion of the Attorney General are proper subjects for confinement in the institutions herein authorized.

SEC. 5. To carry out the purposes of the foregoing section the Attorney General may authorize the use of a sum not to exceed \$100,000 in each instance, payable from any unexpended balance of the appropriation "Support of United States prisoners" for the purpose of leasing or acquiring a site, preparation of plans, and erection of necessary buildings. If in any instance it shall be impossible or impracticable to secure a proper site and erect the necessary buildings within the above limitation of \$100,000, the Attorney General may authorize the use of a sum not to exceed \$10,000 in each instance, payable from any unexpended balance of the appropriation "Support of United States prisoners" for the purpose of securing options and making preliminary surveys or sketches. Upon selection of an appropriate site the Attorney General shall submit to Congress an estimate of the cost of purchasing same and of remodeling, constructing, and equipping the necessary buildings thereon.

SEC. 6. The control and management of any institutions established hereunder, and the house of detention for Federal prisoners in New York City appropriated for in the second deficiency act, fiscal year 1929, shall be vested in the Attorney General, who shall have power to promulgate rules for the government thereof, and to appoint in accordance with the civil service laws and regulations all necessary officers and employees. In connection with such maintenance and operation the Attorney General is authorized to establish and conduct industries, farms, and other activities; to classify the inmates; and to provide for their proper treatment, care, rehabilitation, and reformation.

SEC. 7. Hereafter all persons convicted of an offense against the United States shall be committed, for such terms of imprisonment and to such types of institutions as the court may direct, to the custody of the Attorney General of the United States or his authorized representative, who shall designate the places of confinement where the sentences of all such persons shall be served. The Attorney General may designate any available, suitable, and appropriate institutions, whether maintained by the Federal Government or otherwise or whether within or without the judicial district in which convicted. The Attorney General is also authorized to order the transfer of any person held under authority of any United States statute from one institution to another if in his judgment it shall be for the well-being of the prisoner or relieve overcrowded or unhealthful conditions in the institution where such prisoner is confined or for other reasons.

SEC. 8. All transportation of prisoners shall be by such agent or agents of the Department of Justice as the Attorney General or his authorized representative shall from time to time nominate, the reasonable expense of transportation, necessary subsistence, and hire and transportation of guards and agent or agents to be paid by the Attorney General from any appropriation to the Department of Justice as he may direct: *Provided*, That when the conviction is by a consular court or court-martial the transportation from the court to the place of confinement shall be by an agent or agents of the Department of State or the Department of War, as the case may be, the expenses of such transportation to be paid out of the Treasury of the United States in the manner provided by law.

SEC. 9. Any person properly committed to the custody of the Attorney General or his authorized representative or who is confined in any penal or correctional institution, pursuant to the direction of the Attorney General, who escapes or attempts to escape, therefrom shall be guilty of an offense and upon apprehension and conviction of any such offense in any United States court shall be punished by imprisonment for not more than five years, such sentence to begin upon the expiration of or upon legal release from the sentence for which said person was originally confined.

SEC. 10. It shall be unlawful for any person to procure the escape of any prisoner properly committed to the custody of the Attorney General or to any penal or correctional institution, pursuant to the direction of the Attorney General, or to advise, connive at, aid, or assist in such escape, or to conceal any such prisoner after such escape, and upon conviction in a United States court such person shall be punished by imprisonment for not more than three years.

SEC. 11. Any person not authorized by law or by the Attorney General who introduces or attempts to introduce into or upon the grounds of any Federal penal or correctional institution any narcotic drug, weapon, or any other contraband article or thing, or any contraband letter or message intended to be received by an inmate thereof, shall be guilty of a felony, and shall be punished by imprisonment for a period of not more than 10 years.

SEC. 13. All acts and parts of acts in conflict herewith are hereby repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRAINING AND EMPLOYMENT OF FEDERAL PRISONERS

Mr. STEPHENS. Mr. President, I now ask that the Senate recur to Order of Business 538, being House bill 7412, which is one of the same series of bills to which I previously referred.

The VICE PRESIDENT. The title of the bill will be stated for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7412) to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

The first amendment was, in section 2, page 2, line 2, after the word "roads," to insert "the cost of which is borne exclusively by the United States," and in line 6, after the word "in," to insert the word "major," so as to make the section read:

SEC. 2. The Attorney General may make available the services of United States prisoners to the heads of the several departments under such terms, conditions, and at such rates as may be mutually agreed upon, for the purpose of constructing or repairing roads the cost of which is borne exclusively by the United States; clearing, maintaining, and reforesting public lands; building levees; and for construction or repairing any other public ways or works which are or may be financed wholly or in major part by funds appropriated from the Treasury of the United States. To carry out the purpose of this section the Attorney General may establish, equip, and maintain camps upon sites selected by him and designate such camps as a place for confinement of persons convicted of an offense against the laws of the

United States, or transfer thereto any person convicted of any offense against the laws of the United States. The expenses of transferring and maintaining prisoners at such camps shall be paid from the appropriation "Support of United States prisoners," and said appropriation may, in the discretion of the Attorney General, be reimbursed for such expenses.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 25, after the word "That," to strike out "no class of articles or commodities shall be produced for sale to or use of departments or independent establishments of the Federal Government in United States penal or correctional institutions which at present are being produced by civilian employees at the navy yards, arsenals, mail-bag repair shop, or other Government owned and operated industrial establishments, or such articles as these Government owned and operated establishments are equipped to produce," and insert "any industry established under authority of this act be so operated as not to curtail the production within its present limits, of any existing arsenal, navy yard, or other Government workshop," so as to make the section read:

SEC. 3. The Attorney General shall establish such industries as will produce articles and commodities for consumption in United States penal and correctional institutions or for sale to the departments and independent establishments of the Federal Government and not for sale to the public in competition with private enterprise: *Provided*, That any industry established under authority of this act be so operated as not to curtail the production within its present limits, of any existing arsenal, navy yard, or other Government workshop. In establishing said industries the Attorney General shall provide such forms of employment in the Federal penal and correctional institutions as will give the inmates a maximum opportunity to acquire a knowledge and skill in trades and occupations which will provide them with a means of earning a livelihood upon release. The industries to be established by the Attorney General under authority of this section may be either within the precincts of any penal or correctional institution or in any convenient locality where an existing property may be obtained by lease, purchase, or otherwise.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 7, after the word "institutions," to insert "heretofore or hereafter established," so as to make the section read:

SEC. 4. In lieu of the working-capital funds authorized for the textile mill at the Atlanta Penitentiary by the act approved July 10, 1918 (ch. 144, 40 Stat. 897; sec. 799, title 18, U. S. C.), and for the shoe factory at the Leavenworth Penitentiary by the act approved February 11, 1924 (ch. 17, 43 Stat. 7; sec. 772, title 18, U. S. C.), there is hereby created a consolidated prison industries working-capital fund which shall be available for carrying on industrial enterprises at any of the several Federal penal and correctional institutions heretofore or hereafter established.

The amendment was agreed to.

The next amendment was, in section 6, page 4, line 24, before the word "machinery," to insert the word "industrial"; on page 5, line 4, after the word "employees," to insert "engaged in any industrial enterprise"; and line 7, after the word "of," to insert the word "industrial," so as to make the section read:

SEC. 6. The prison industries working-capital fund shall be administered and disbursed by or under the direction of the Attorney General, and shall be available for the purchase, repair, or replacement of industrial machinery or equipment; for the purchase of raw materials; for compensation to inmates employed in any industry under rules and regulations promulgated from time to time by the Attorney General; for the employment of necessary civilian officers and employees engaged in any industrial enterprise at any of the Federal penal and correctional institutions and in the District of Columbia; for the repair, alteration, erection, and maintenance of industrial buildings and equipment; and for travel and any other expenses incident to or connected with the establishment, operation, or maintenance of such prison industries as are now established or may hereafter be established by the Attorney General at the several penal and correctional institutions.

The amendment was agreed to.

The next amendment was, in section 7, page 5, line 16, after the word "prices" to strike out "as determined by the Attorney General or his authorized representative," and after line 20 to insert "Any disputes as to the price, quality, suitability, or character of the products manufactured in any prison industry and offered to any Government department shall be arbitrated by a board consisting of the Comptroller General of the United States, the superintendent of supplies of the General Supply Committee, and the Chief of the United States Bureau of Efficiency, or their representatives. The decision of said board shall be final and binding upon all parties," so as to make the section read:

SEC. 7. The several Federal departments and independent establishments and all other Government institutions of the United States shall purchase at not to exceed current market prices such products of the industries herein authorized to be carried on as meet their requirements and as may be available and are authorized by the appropriations from which such purchases are made. Any disputes as to the price, quality, suitability, or character of the products manufactured in any prison industry and offered to any Government department shall be arbitrated by a board consisting of the Comptroller General of the United States, the Superintendent of Supplies of the General Supply Committee, and the Chief of the United States Bureau of Efficiency, or their representatives. The decision of said board shall be final and binding upon all parties.

The amendment was agreed to.

The next amendment was, in section 8, page 6, line 18, after the word "camp," to insert "for the first year or any part thereof, and for any succeeding year or any part thereof not to exceed five days for each month of actual employment in said industry or said camp," so as to make the section read:

SEC. 8. The act of Congress approved June 21, 1902 (ch. 1140, 32 Stat. 397), as amended by the act of April 27, 1906 (ch. 1997, 34 Stat. 149; secs. 710 to 712a, inclusive, title 18, U. S. C.), providing for commutation of sentences of United States prisoners for good conduct, shall be applicable to prisoners engaged in any industry, or transferred to any camp established under authority of this act; and in addition thereto each prisoner, without regard to length of sentence, may, in the discretion of the Attorney General, be allowed, under the same terms and conditions as provided in the acts of Congress referred to in this section, a deduction from his sentence of not to exceed three days for each month of actual employment in said industry or said camp for the first year or any part thereof, and for any succeeding year or any part thereof not to exceed five days for each month of actual employment in said industry or said camp.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. COPELAND. Mr. President, I hope the Senator from Mississippi will finish his good work this morning by bringing up Order of Business No. 536, being House bill 6807, establishing two institutions for the confinement of United States prisoners.

Mr. STEPHENS. I have been unable to reach an agreement with reference to that measure; objection would be made to its consideration; and for that reason I shall not now ask for its consideration.

Mr. COPELAND. There certainly is a crying need to have some place in which to incarcerate prisoners.

Mr. STEPHENS. I agree it is a bill of very great merit, but another Senator does not agree with me, and, therefore, I will not insist on having the bill considered at this time.

SALE OF GOVERNMENT PROPERTY IN BINGHAMTON, N. Y.

The VICE PRESIDENT. The next bill in order on the calendar will be stated.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2902) to authorize the sale of the Government property acquired for a post-office site in Binghamton, N. Y., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to dispose of the Government property acquired for a post-office site in Binghamton, N. Y., fronting on the north side of Henry Street and extending northwardly between Washington and State Streets, in the following manner: To transfer by the usual quitclaim deed to the city of Binghamton the southerly triangular portion of said site, measuring approximately 59.84 feet on Washington Street and 159.75 feet on Henry Street, for the purpose of straightening out said Henry Street; and, in the discretion of the Secretary of the Treasury, to sell the remainder of the site at such time and upon such terms as he may deem to be the best interests of the United States and to convey such remainder of the property to the purchaser thereof by the usual quitclaim deed, the proceeds of said sale to be covered into the Treasury as miscellaneous receipts.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALE OF GOVERNMENT PROPERTY IN AKRON, OHIO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3246) to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to dispose of the Government property acquired for a post-office site at Akron, Ohio, located on the south-

east corner of East Market and South High Streets, in the following manner: To transfer by the usual quitclaim deed to the city of Akron, for the purpose of widening said East Market Street, the northerly portion of said site, beginning at the intersection of the southerly line of East Market Street (between South Main and South High Streets) extended easterly with the eastern line of South High Street; thence with the eastern line of South High Street north 18° 25' east, 11.20 feet, to the southern line of East Market Street; thence with the southern line of East Market Street south 66° 13' east, 133.77 feet, to the western line of Wheeler Lane Alley; thence with the western line of Wheeler Lane Alley south 18° 21' west, 10.18 feet; thence north 60° 43' west, 63.04 feet; thence north 71° 54' west, 71.28 feet to place of beginning; and to sell the remainder of the site upon the terms and conditions provided in the act of Congress approved March 4, 1913, authorizing the sale of the above old post-office property in Akron, Ohio.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALE OF POST-OFFICE SITE AND BUILDING AT DOVER, DEL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8578) to sell the present post-office site and building at Dover, Del., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to sell the present post-office site and building at Dover, Del., upon such terms and conditions as he may deem advantageous to the Government: *Provided,* That he may accept in exchange a new site in part payment for the present site and building.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONVEYANCE TO TRENTON, N. J., OF FEDERAL PROPERTY

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8918) authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to convey by quitclaim deed to the city of Trenton, N. J., title to all that land of the Federal building site in that city situate on the northeast corner of East State Street and North Montgomery Street fronting 25 feet 10 inches on the north side of East State Street and extending in a northerly direction the same width along North Montgomery Street for a distance of 143 feet to Postoffice Alley, and now used as a part of North Montgomery Street under license granted by the Treasury on August 8, 1919: *Provided,* That the land conveyed shall be used for street purposes and no other, to be cared for and maintained as are other public streets in said city, and in the event that the premises shall cease to be so used for street purposes, the right, title, and interest in the land herein authorized to be conveyed shall revert to the United States and the deed shall recite such limitation and reversionary right.

Mr. ROBINSON of Arkansas. Mr. President, I inquire why it is proposed that the Government shall convey to the city of Trenton title to a part of its Federal buildings there?

Mr. KEYES. It is proposed to convey a portion of the site to the city for the purpose of widening a street. If the land should cease to be used for street purposes it would revert to the Government.

Mr. ROBINSON of Arkansas. Very well.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OLD POST-OFFICE SITE, WICHITA, KANS.

The bill (H. R. 9324) to dedicate for street purposes a portion of the old post-office site at Wichita, Kans., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ACCEPTANCE OF TITLE TO CERTAIN REAL ESTATE

The bill (H. R. 9407) to amend the act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INCREASE IN WHITE HOUSE POLICE FORCE

The bill (H. R. 9437) to authorize a necessary increase in the White House police force was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRANSFER OF GOVERNMENT-OWNED LAND AT DODGE CITY, KANS.

The bill (H. R. 9845) to authorize the transfer of Government-owned land at Dodge City, Kans., for public-building purposes was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SMITHSONIAN INSTITUTION

The bill (S. 3970) authorizing the Smithsonian Institution to extend the Natural History Building and authorizing an appropriation therefor, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Smithsonian Institution is hereby authorized to extend the Natural History Building of the United States National Museum by additions on the east and west ends thereof, in accordance with plans to be approved by the Commission of Fine Arts, and to engage, if necessary, architectural and inspection services, without regard to the restrictions of existing law governing such services. There is hereby authorized to be appropriated a sum not exceeding \$6,500,000 for this purpose.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOSPITAL NO. 90, MUSKOGEE, OKLA.

The bill (H. R. 9325) to authorize the United States Veterans' Bureau to pave the road running north and south immediately east of and adjacent to Hospital No. 90, at Muskogee, Okla., and to authorize the use of \$4,950 of funds appropriated for hospital purposes, and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. A. LEMIRE

The bill (S. 2524) for the relief of J. A. Lemire was considered as in Committee of the Whole.

The bill had been reported from the Committee on Post Offices and Post Roads with an amendment, on page 1, line 5, after the words "sum of," to strike out "\$596.10" and insert "\$586.10," so as to make the bill read:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of J. A. Lemire, former postmaster at Ronan, Mont., in the sum of \$586.10, and certify said credit to the General Accounting Office, being the amount of official funds lost through the failure of the First National Bank of Ronan, at Ronan, Mont., without fault or negligence on the part of the former postmaster: *Provided,* That the said postmaster shall assign to the Postmaster General any and all claims he may have to dividends arising from the liquidation of said bank.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COLLECTION OF ADDITIONAL POSTAGE ON CERTAIN MAIL MATTER

The bill (S. 3178) to authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is accorded was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That each piece of insufficiently or improperly addressed mail which is accorded directory service in effecting or attempting to effect its delivery shall be charged with 2 cents postage in addition to the regular postage, to be collected and accounted for in the manner in which postage due on other mail is collected and accounted for: *Provided,* That such additional postage charge may be prepared by the sender under regulations prescribed by the Postmaster General: *Provided further,* That such charge shall not apply to matter mailed under the franking and penalty privileges.

Mr. ROBINSON of Arkansas. Mr. President, I should like to ask the chairman of the Committee on Post Offices and Post Roads whether this bill provides for an increase in postal rates, or substantially changes the law with reference to postal charges?

Mr. PHIPPS. It does not. It is merely to make a collection where improperly addressed mail has to be looked up and handled in the post office and delivered by resorting to directory service. The effect will be to make large companies mailing great quantities of mail much more careful in handling it. It is not intended that a charge shall be made in each individual case where it is necessary to look up the address of an individual.

Mr. ROBINSON of Arkansas. The bill does authorize a charge in any case where the address has to be looked up; but I see no objection to it if it is administered carefully.

Mr. PHIPPS. We believe it will be administered properly. The committee has given the bill careful study, and it is recommended by the Post Office Department.

Mr. McKELLAR. Mr. President, I just want to say to the Senator from Arkansas that the bill is a departure, but quite an abuse has arisen in this connection. It was my view—and I think the committee looked at it in that way—that it would be well to try this out and see if we could not correct the abuse in this way.

Mr. ROBINSON of Arkansas. Very well.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF RURAL POST ROADS

The bill (S. 3258) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Federal highway act, approved November 9, 1921 (42 Stat. L. 212), as amended or supplemented, be further amended by amending the second paragraph of section 3 of said Federal highway act to read as follows:

"The Secretary of Agriculture is authorized to cooperate with the State highway departments and with the Department of the Interior in the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations. Such sums as the Congress may hereafter authorize to be expended under the provisions of this section shall be apportioned among those States having more than 5 per cent of their area in the lands hereinbefore described and shall be prorated and apportioned to said States in the proportion that said lands in each of said States is to the total area of said lands in the States eligible under the provisions of this section, and no contribution from the States shall be required in the expenditure thereof. The roads constructed and maintained under the provisions of this section shall be of the same standard as to width and character of construction as the Federal Government requires of the States under like conditions: *Provided*, That in the allocation of any such funds authorized to be appropriated under this section or any subsequent act preference shall be given to those projects which are located on the Federal-aid highway system as the same are now or may hereafter be designated.

"The Secretary of Agriculture shall prepare, publish, and distribute a map and other information, at least annually, showing the progress made in the expenditures of the funds authorized under this section."

SEC. 2. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ODDIE subsequently said: Mr. President, I ask permission to recur to Senate bill 3258, which has just been passed, in order that I may offer an amendment.

Mr. ROBINSON of Arkansas. What is the calendar number?

Mr. ODDIE. It is Order of Business 578.

Mr. ROBINSON of Arkansas. Does the Senator move to reconsider the votes by which the bill was passed?

Mr. ODDIE. Yes.

The VICE PRESIDENT. Without objection, the motion to reconsider is agreed to.

Mr. ODDIE. On page 2, line 5, where the bill reads, "Such sums as the Congress may hereafter authorize to be expended," I desire to amend that so as to read "authorize to be appropriated" instead of "expended."

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 6, strike out "expended" and insert "appropriated."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN NEVADA

The bill (S. 557) to authorize the disposition of certain public lands in the State of Nevada was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Western Pacific Railroad Co., a California corporation, be permitted to purchase from the United States, at

the price of \$2.50 per acre, the south half of the southwest quarter of section 28, township 34 north, range 66 east, Mount Diablo meridian, in Elko County, Nev., containing 80 acres; and that patent shall, after such purchase, issue to said company therefor: *Provided*, That the Western Pacific Railroad Co. file in the district land office at Carson City, Nev., an application for the said lands, and tender payment therefor at the price fixed herein within 60 days of the passage of this act: *Provided further*, That patent issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the land so patented, except sand and gravel, together with the right to prospect for, mine, and remove the same.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LYMA VAN WINKLE

The bill (H. R. 645) for the relief of Lyma Van Winkle was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRITISH STEAMSHIP "KYLEAKIN"

The bill (H. R. 1794) to authorize the payment of an indemnity to the owners of the British steamship *Kyleakin* for damages sustained as a result of a collision between that vessel and the U. S. S. *William O'Brien* was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VIKTOR PETTERSSON

The bill (H. R. 7069) for the relief of the heirs of Viktor Pettersson was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

A. O. GIBBENS

The bill (H. R. 1954) for the relief of A. O. Gibbens was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISPOSAL OF UNPRODUCTIVE LAND ON FEDERAL IRRIGATION PROJECTS

The bill (H. R. 156) to authorize the disposal of public land classified as temporarily or permanently unproductive on Federal irrigation projects was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, this apparently is a bill of some importance. I should like to inquire of the Senator in charge of the bill whether it was considered at length by the committee, and whether the report is unanimous.

The VICE PRESIDENT. The Senator who reported the bill is not present.

Mr. PHIPPS. I suggest that it go over.

Mr. ROBINSON of Arkansas. Let it be passed over temporarily, and the Senator from Idaho [Mr. THOMAS] can bring it up later.

The VICE PRESIDENT. The bill will be passed over temporarily.

RIO GRANDE COMPACT

The bill (S. 3386) giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on February 12, 1929, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to the compact signed by the commissioners for the States of Colorado, New Mexico, and Texas at Santa Fe, N. Mex., on the 12th day of February, 1929, and thereafter approved by the Legislature of the State of Colorado by act approved April 19, 1929, by the Legislature of the State of New Mexico by act approved March 9, 1929, and by the Legislature of the State of Texas by act approved May 22, 1929, which compact reads as follows:

"RIO GRANDE COMPACT"

"The State of Colorado, the State of New Mexico, and the State of Texas, desiring to remove all causes of present and future controversy among these States and between citizens of one of these States and citizens of another State with respect to the use of the waters of the Rio Grande above Fort Quitman, Tex., and being moved by considerations of interstate comity, have resolved to conclude a compact for the attainment of these purposes, and to that end, through their respective governors, have named as their respective commissioners Delph E. Carpenter for the State of Colorado, Francis C. Wilson for the State of New Mexico, and T. H. McGregor for the State of Texas, who after negotiations participated in by William J. Donovan, appointed by the President as the representative of the United States of America, have agreed upon the following articles, to wit:

"ARTICLE I

"(a) The State of Colorado, the State of New Mexico, the State of Texas, and the United States of America are hereinafter designated 'Colorado,' 'New Mexico,' 'Texas,' and the 'United States,' respectively.

"(b) The term 'Rio Grande Basin' means all of the territory drained by the Rio Grande and its tributaries in Colorado, New Mexico, and Texas above Fort Quitman, Tex.

"(c) The term 'tributary' means any water course the waters of which naturally flow into the channel of the Rio Grande.

"(d) The 'Closed Basin' means that part of the San Luis Valley in Colorado where the streams and waters naturally flow and drain into the San Luis Lakes and adjacent territory, and the waters of which are not tributary to the Rio Grande.

"(e) 'Domestic' use of water has the significance which attaches to the word 'domestic' in that sense at common law. 'Municipal' use means the use of water by or through water works serving the public. 'Agricultural' use means the use of water for the irrigation of land.

"(f) The term 'power' as applied to the use of water means all uses of water, direct or indirect, for the generation of energy.

"(g) 'Spill' or waste of water at a reservoir means the flowage of water over the spillway, or the release of water through outlet structures other than for domestic, municipal, or agricultural uses, and losses incident thereto.

"The provisions hereof binding each signatory State shall include and bind its citizens, agents, and corporations, and all others engaged in or interested in the diversion, storage, or use of the waters of the Rio Grande in Colorado or New Mexico, or in Texas above Fort Quitman.

"ARTICLE II

"The States of Colorado, New Mexico, and Texas hereby declare:

"(a) That they recognize the paramount right and duty of the United States, in the interests of international peace and harmony, to determine and settle international controversies and claims by treaty, and that when those purposes are accomplished by that means the treaty becomes the supreme law of the Nation;

"(b) That since the benefits which flow from the wise exercise of that authority and the just performance of that duty accrue to all the people, it follows as a corollary that the Nation should defray the cost of the discharge of any obligation thus assumed;

"(c) That with respect to the Rio Grande, the United States, without obligation imposed by international law and 'being moved by considerations of international comity,' entered into a treaty dated May 21, 1906 (34 Stat. 2953), with the United States of Mexico which obligated the United States of America to deliver from the Rio Grande to the United States of Mexico 60,000 acre-feet of water annually and forever, whereby in order to fulfill that promise the United States of America in effect drew upon the States of Colorado, New Mexico, and Texas a draft worth to them many millions of dollars, and thereby there was cast upon them an obligation which should be borne by the Nation;

"(d) That for the economic development and conservation of the waters of the Rio Grande Basin and for the fullest realization of the purposes recited in the preamble to this compact it is of primary importance that the area in Colorado known as the Closed Basin be drained and the water thus recovered be added to the flow of the river, and that a reservoir be constructed in Colorado upon the river at or near the site generally described as the State Line Reservoir site. The installation of the drain will materially augment the flow of the river, and the construction of the reservoir will so regulate the flow as to remove forever the principal causes of the difficulties between the States signatory hereto; and

"(e) That in alleviation of the heavy burden so placed upon them it is the earnest conviction of these States that without cost to them the United States should construct the Closed Basin drain and the State Line Reservoir described in paragraph (d).

"The signatory States agree that approval by Congress of this compact shall not be construed as constituting an acceptance or approval, directly, indirectly, or impliedly, of any statement or conclusion appearing in this article.

"ARTICLE III

"(a) Colorado, under the direction and administration of its State engineer, shall cause to be maintained and operated an automatic recording stream-gauging station at each of the following points, to wit:

"(1) On the Rio Grande near Del Norte at the station now maintained, known and designated herein as the Del Norte gauging station (the water records from this station to include the flow diverted into the canal of the Del Norte irrigation system);

"(2) On the Rio Conejos near Mogote, a station known and designated herein as the Mogote gauging station;

"(3) On the Rio Grande at or near the Colorado-New Mexico interstate line, a station known and designated herein as the interstate gauging station; and

"(4) Such other station or stations as may be necessary to comply with the provisions of this compact.

"(b) New Mexico, under the direction and administration of its State engineer, shall cause to be maintained and operated an automatic stream-gauging station at each of the following points, to wit:

"(1) On the Rio Grande at the station known as Buckman;

"(2) On the Rio Grande at San Marcial;

"(3) On the Rio Grande at the Elephant Butte Reservoir outlet; and

"(4) Such other station or stations as may be necessary to comply with the provisions of this compact.

"(c) Texas, under the direction and administration of duly constituted official, shall cause to be maintained and operated an automatic stream gauging station at each of the following points, to wit:

"(1) On the Rio Grande at Courchesne;

"(2) On the Rio Grande at Tornillo; and

"(3) On the Rio Grande at Fort Quitman.

"(d) New Mexico and Texas shall establish and maintain such other gauging station or stations as may be necessary for ascertaining and recording the release, flow, distribution, waste, and other disposition of water at all points between the Elephant Butte Reservoir and the lower end of the Rio Grande project, both inclusive: *Provided, however*, That when the United States shall maintain and operate, through any of its agencies, an automatic gauging station at any of the points herein designated it shall not be necessary for the State within which said station is located to maintain a duplicate gauging station at such point whenever the records of such Government stations are available to the authorities of the several States.

"(e) The officials in charge of all of the gauging stations herein provided for shall exchange records and data obtained at such stations for monthly periods through the operation thereof, or at such other intervals as they may jointly determine, and said officials shall provide for check ratings and such other hydrographic work at the designated stations as may be necessary for the accuracy of the records obtained at such stations and to that end may establish rules and regulations from time to time.

"ARTICLE IV

"The State engineer of Colorado, the State engineer of New Mexico, and such officer of Texas as the governor thereof may designate shall constitute a committee which may employ such engineering and clerical aid as may be authorized by the respective State legislatures, and the jurisdiction of the committee shall extend only to the ascertainment of the flow of the river and to the prevention of waste of water, and to findings of fact reached only by unanimous agreement. It shall communicate its findings of fact to the officers of the respective States charged with the performance of duties under this compact. Its findings of fact shall not be conclusive in any court or other tribunal which may be called upon to interpret or enforce this compact. Annual reports compiled for each calendar year shall be made by the committee and transmitted to the governors of the signatory States on or before February 1 following the year covered by such report.

"ARTICLE V

"It is agreed that to and until the construction of the Closed Basin drain and the State Line Reservoir herein described, but not subsequent to June 1, 1935, or such other date as the signatory States may hereafter fix by acts of their respective State legislatures, Colorado will not cause or suffer the water supply at the interstate gauging station to be impaired by new or increased diversions or storage within the limits of Colorado unless and until such depletion is offset by increase of drainage return.

"ARTICLE VI

"To the end that the maximum use of the waters of the Rio Grande may be made it is agreed that at such times as the State engineer of New Mexico, under the supervision and control of the committee, shall find that spill at Elephant Butte Dam is anticipated he shall forthwith give notice to Colorado and New Mexico of the estimated amount of such spill, and of the time at which water may be impounded or diverted above San Marcial, and thereupon Colorado and New Mexico may use in equal portions the amount of such estimated spill so found by the State engineer of New Mexico; and on notice from the said State engineer of New Mexico that the period of said spill, or estimated spill, is terminated, Colorado and New Mexico shall desist from such increased use.

"ARTICLE VII

"(a) On or before the completion of the Closed Basin drain and the State Line Reservoir, and in any event not later than June 1, 1935, a commission of three members shall be constituted, to which the governor of each of the signatory States shall appoint a commissioner, for the purpose of concluding a compact among the signatory States and providing for the equitable apportionment of the use of the waters of the Rio Grande among said States. The governors of said States shall request the President of the United States to name a representative to sit with said commission.

"(b) The commission so named shall equitably apportion the waters of the Rio Grande as of conditions obtaining on the river and within the Rio Grande Basin at the time of the signing of this compact, and no advantage or right shall accrue or be asserted by reason of construction of works, reclamation of land, or other change in conditions or in use of water within the Rio Grande Basin or the Closed Basin during the time intervening between the signing of this compact and the concluding of such subsequent compact to the end that the rights and equities of each State may be preserved unimpaired: *Provided, however*, That Colorado shall not be denied the right to divert, store, and/or use water in additional amounts equivalent to the flow into the river from the drain from the Closed Basin.

"(c) Any compact concluded by said commission shall be of no force or effect until ratified by the legislature of each of the signatory States and approved by the Congress of the United States.

"ARTICLE VIII

"(a) Subject to the provisions of this article Colorado consents to the construction and use of a reservoir by the United States and/or New Mexico, and/or Texas, as the case may be, by the erection of a dam across the channel of the Rio Grande at a suitable point in the canyon below the lower State bridge, and grants to the United States and/or to said States, or to either thereof, the right to acquire by purchase, prescription, or to exercise of eminent domain such rights of way, easements, and/or lands as may be necessary or convenient for the construction, maintenance, and operation of said reservoir and the storage and release of waters.

"(b) Said reservoir shall be so constructed and operated that the storage and release of waters therefrom and the flowage of water over the spillway shall not impede or interfere with the operation, maintenance, and uninterrupted use of drainage works in the San Luis Valley in Colorado or with the flow and discharge of waters therefrom.

"(c) The construction and/or operation of said reservoir and the storage and regulation of flow of waters thereby for beneficial uses or otherwise shall not become the basis or hereafter give rise to any claim of appropriation of waters or of any prior, preferred, or superior right to the use of any such waters. The purpose of said reservoir shall be to store and regulate the flow of the river.

"(d) The United States, or the signatory States, as the case may be, shall control the storage and release of water from said reservoir and the management and operation thereof, subject to a compact between the signatory States.

"(e) Colorado reserves jurisdiction and control over said reservoir for game, fish, and all other purposes not herein relinquished.

"(f) Colorado waives rights of taxation of said reservoir and appurtenant structures and all lands by it occupied.

"ARTICLE IX

"Nothing in this compact shall be construed as affecting the obligations of the United States of America to the United States of Mexico, or to the Indian tribes, or as impairing the rights of the Indian tribes.

"ARTICLE X

"It is declared by the States signatory hereto to be the policy of all parties hereto to avoid waste of waters, and to that end the officials charged with the performance of duties hereunder shall use their utmost efforts to prevent wastage of waters.

"ARTICLE XI

"Subject to the provisions of this compact water of the Rio Grande or any of its tributaries may be impounded and used for the generation of power, but such impounding and use shall always be subservient to the use and consumption of such waters for domestic, municipal, and agricultural purposes. Water shall not be stored, detained, nor discharged so as to prevent or impair use for such dominant purposes.

"ARTICLE XII

"New Mexico agrees with Texas, with the understanding that prior vested rights above and below Elephant Butte Reservoir shall never be impaired hereby, that she will not cause or suffer the water supply of the Elephant Butte Reservoir to be impaired by new or increased diversion or storage within the limits of New Mexico unless and until such depletion is offset by increase of drainage return.

"ARTICLE XIII

"The physical and other conditions characteristic of the Rio Grande and peculiar to the territory drained and served thereby, and to the development thereof, have actuated this compact, and none of the signatory States admits that any provision herein contained establishes any general principle or precedent applicable to other interstate streams.

"ARTICLE XIV

"This compact may be terminated or extended at any time by the unanimous legislative action of all of the signatory States, and in that event all rights established under it shall remain and continue unimpaired.

"ARTICLE XV

"Nothing herein contained shall prevent the adjustment or settlement of any claim or controversy between these States by direct legislative

action of the interested States, nor shall anything herein contained be construed to limit the right of any State to invoke the jurisdiction of any court of competent jurisdiction for the protection of any right secured to such State by the provisions of this compact, or to enforce any provision thereof.

"ARTICLE XVI

"Nothing in this compact shall be considered or construed as recognizing, establishing, or fixing any status of the river or the accuracy of any data or records or the rights or equities of any of the signatories or as a recognition, acceptance, or acknowledgment of any plan or principle or of any claim or assertion made or advanced by either of the signatories or hereafter construed as in any manner establishing any principle or precedent as regards future equitable apportionment of the waters of the Rio Grande. The signatories agree that the plan herein adopted for administration of the waters of the Rio Grande is merely a temporary expedient to be applied during the period of time in this compact specified, is a compromise temporary in nature and shall have no other force or interpretation, and that the plan adopted as a basis therefor is not to be construed as in any manner establishing acknowledging, or defining any status, condition, or principle at this or any other time.

"ARTICLE XVII

"The signatories consent and agree to the extension of time for construction of reservoirs on sites covered by approved applications during the time of this compact and for a reasonable time thereafter.

"ARTICLE XVIII

"This compact shall become operative when approved by the legislature of each of the signatory States and by the Congress of the United States. Notice of approval shall be given by the governor of each State to the governors of the other States and to the President of the United States, and the President of the United States is requested to give notice to the governors of each of the signatory States of its approval by the Congress of the United States.

"In witness whereof the commissioners have signed this compact in quadruplicate original, one of which shall be deposited in the archives of the Department of State of the United States of America and shall be deemed the authoritative original, and of which a duly certified copy shall be forwarded to the governor of each of the signatory States.

"Done at the city of Santa Fe, in the State of New Mexico, on the 12th day of February, A. D. 1929.

"DELPH E. CARPENTER.

"FRANCIS C. WILSON.

"T. H. MCGREGOR.

"Approved:

"WILLIAM J. DONOVAN."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF INDIANS IN MONTANA, IDAHO, AND WASHINGTON

The bill (S. 872) to amend an act for the relief of certain tribes of Indians in Montana, Idaho, and Washington was announced as next in order.

Mr. BLEASE. Mr. President, let that bill go over. I want to see if I can not have an amendment made to it for my own State.

The VICE PRESIDENT. The bill will be passed over.

UNITED STATES BUREAU OF FISHERIES

The bill (H. R. 7405) to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 8, after "\$50,000," to insert "Louisiana, \$50,000," and on page 6, line 24, after the word "cultural," to insert "the encouragement of fish conservation in the waters of the Great Lakes and other waters," so as to make the bill read:

Be it enacted, etc., That there are hereby authorized to be appropriated during the fiscal year beginning July 1, 1930, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified; New Mexico, \$50,000; Louisiana, \$50,000; Idaho, \$60,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Wisconsin (in the southern part of the State), \$50,000; Montana, \$35,000; Colorado, \$35,000; New Hampshire (in the White Mountain Forest), \$25,000.

(3) The establishment of a fishery laboratory in the State of Washington, at a cost not to exceed \$125,000.

(4) The establishment of experimental and bass and trout stations in the State of Maryland or West Virginia at a cost not to exceed \$75,000.

SEC. 2. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1931, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: Alabama, \$50,000; Indiana, \$50,000; Tennessee (in the middle division of the State), \$50,000; Pennsylvania (including a substation), \$100,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: South Carolina, or the enlargement of Orangeburg station in said State, \$25,000; Texas (in the western part of the State), \$35,000; New York, \$35,000.

(3) The purchase of Mill Creek station in the State of California, at a cost not to exceed \$20,000.

(4) The purchase and repair of the Rogue River substation in the State of Oregon, at a cost not to exceed \$35,000.

SEC. 3. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1932, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in the State of Florida, at a cost not to exceed \$60,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Maine (including enlargement of Craig Brook station), \$50,000; Virginia (in the eastern part of the State), \$75,000; Minnesota, \$50,000.

(3) The establishment of a fishery laboratory in the State of Texas (on the Gulf coast of the eastern part of the State), at a cost not to exceed \$75,000.

(4) The purchase or construction of a steel fish-distribution car, at a cost not to exceed \$75,000.

SEC. 4. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1933, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: Nevada, \$60,000; Illinois, \$75,000; New Jersey, \$75,000; a fish-cultural substation in Mississippi (in the southern part of the State), \$50,000.

(2) The purchase or construction of a steel fish-distribution car at a cost not to exceed \$75,000.

SEC. 5. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1934, such amounts as may be necessary for—

(1) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Ohio, \$35,000; Kansas, \$35,000; North Dakota, \$35,000; Georgia, \$35,000.

(2) The purchase and repair of the Little White Salmon station in the State of Washington, at a cost not to exceed \$35,000.

(3) The establishment of a fishery laboratory in the Territory of Alaska, at a cost not to exceed \$50,000.

(4) The establishment of an experimental and bass and trout station in the Pisgah National Forest or in the Great Smoky National Park in the State of North Carolina upon the acquisition of said park by the United States, at a cost not to exceed \$35,000.

SEC. 6. (a) The stations, substations, and laboratories authorized by sections 1, 2, 3, 4, and 5 shall be located in the States and parts thereof and in the Territory specified, at such suitable points as may be selected by the Secretary of Commerce.

(b) Any appropriation made under authority of sections 1, 2, 3, 4, and 5 may be expended for the purchase of sites, and the purchase of equipment, the construction of buildings and ponds, and for such other expenses as may be incidental to the cost of the establishment, purchase, or enlargement, as the case may be, of the station, substation, or laboratory in question.

(c) No part of an appropriation made under authority of sections 1, 2, 3, 4, or 5 shall be expended in the construction, purchase, or enlargement of a station or substation until the State in which such station or substation is to be located shall have by legislative action accorded to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may by the commissioner be considered necessary and proper, any laws of the State to the contrary notwithstanding. The operation of any station, substation, or laboratory established, purchased, or enlarged under authority of this act shall be discontinued whenever the State ceases to accord such right; and such operation may be suspended by the Secretary of Commerce whenever in his judgment State laws or regulations affecting fishes cultivated are allowed to remain so inadequate as to impair the efficiency of such station, substation, or laboratory.

(d) That the authorizations herein given in sections 1, 2, 3, 4, and 5 with reference to appropriations for certain specified years are for the purpose of indicating priority proposed to be given the various projects enumerated therein, but shall not be held to require the appropriations therein enumerated to be made in the years specified, and the appropriations enumerated are likewise authorized in prior or subsequent years in annual or supplemental appropriation acts.

SEC. 7. There are hereby authorized to be appropriated, in addition to all other amounts authorized by law to be appropriated, not to exceed the following amounts during the fiscal years specified:

(1) For the purpose of providing adequate maintenance costs and personnel for the Division of Fish Culture, Bureau of Fisheries: Fiscal year beginning July 1, 1930, \$100,000; fiscal year beginning July 1, 1931, \$200,000; fiscal year beginning July 1, 1932, \$300,000; fiscal year beginning July 1, 1933, \$400,000; fiscal year beginning July 1, 1934, \$500,000. Of each amount authorized by this paragraph to be appropriated not more than 30 per cent is authorized for salaries at the seat of government and elsewhere.

(2) To meet the demand for fundamental knowledge regarding our great commercial fisheries and for developing the natural cultivation of oysters, mussels, and other mollusca, and the improvement of pond cultural, the encouragement of fish conservation in the waters of the Great Lakes and other waters, and other operations of the Division of Inquiry, Bureau of Fisheries, respecting food fishes, sufficient annual additions to increase present appropriations by not to exceed \$300,000 per annum at the conclusion of the construction program authorized in this act. Of each amount authorized by this paragraph to be appropriated not more than 40 per cent is authorized for salaries at the seat of government and elsewhere, and not to exceed \$10,000 in any year for a survey of the fisheries of the Hawaiian Islands.

(3) To provide for the proper husbandry of our fisheries, improvements in methods of capture, merchandising, and distribution of our fishery harvest, including saving and utilization of waste products, and other operations of the Division of Fishery Industries, Bureau of Fisheries, sufficient annual additions to increase present appropriations by not to exceed \$175,000 per annum at the conclusion of the construction program authorized in this act. Of each amount authorized by this paragraph to be appropriated not more than 40 per cent is authorized for salaries at the seat of government and elsewhere.

SEC. 8. In carrying out the provisions of this act the Bureau of Fisheries may cooperate with States, counties, municipalities, individuals, and public and private agencies, organizations, and institutions, and may accept donations of lands, funds, and other aid to the development of this program.

Mr. TRAMMELL. Mr. President, I should like to ask the Senator in charge of the bill what provision has been made for taking care of the fish hatcheries in Florida. Is the Senator familiar with that, or is that covered in another bill? My understanding was that we were to have an appropriation for a fish hatchery in Florida.

Mr. PHIPPS. I call the Senator's attention to page 3, line 4—"fish-cultural station in the State of Florida, at a cost of not to exceed \$60,000."

Mr. TRAMMELL. That is my understanding. I am very much obliged to the Senator.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

R. B. MILLER

The bill (S. 3088) to reimburse R. B. Miller and to repay him for overcharge in freight on manganese shipments paid by him to the United States Railroad Administration was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with amendments, on page 1, line 5, after the words "sum of," to strike out "\$9,407.54, said amount representing the principal sum of \$6,336.38 overpayments in freight on" and insert "\$2,500 in full and final settlement of all claims or demands of whatsoever nature, kind, or character against the Government on account of the shipment of," and on page 2, line 9, after the word "law," to strike out "and the interest on said sum from the respective dates of shipment to April 1, 1926," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to R. B. Miller, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full and final settlement of all claims or demands of whatsoever nature, kind, or character against the Government on account of the shipment of 75 carloads of manganese ore shipped over the Norfolk & Western Railroad from Suter, Va., Rocky Gap, Va., and Graham, Va., to Reading, Pa., Harrisburg, Pa., and Birmingham, Ala., during the period that said railroad was operated by the Director General of Railroads and which said amount was in excess of the regular freight rates published and allowed by law.

Mr. ROBINSON of Arkansas. Mr. President, this bill carries a considerable appropriation, and I think it should be justified. I have not had an opportunity to read the report. It is quite voluminous.

Mr. HOWELL. Mr. President, I will say that this is a case where the charge for freight was held to be unreasonable. In a letter from the Assistant Director General and General Solicitor of the Railroad Administration, Mr. Andrews, to the Senator from Colorado [Mr. WATERMAN], he says:

I think most probably had Mr. Miller seasonably filed his claim on shipments to Reading, Pa., during Federal control with the Interstate Commerce Commission within the period prescribed in the transportation act, 1920, it would have resulted in an award by the commission to Mr. Miller in the approximate sum of \$2,400 as reparation, but not as overcharge.

The report of the committee says:

The claimant has agreed to accept the sum of \$2,500 in full and final settlement of all claims against the Government in connection with these shipments and your committee recommends that the bill, as amended, do pass.

Mr. ROBINSON of Arkansas. I am satisfied with the statement made by the Senator.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill for the relief of R. B. Miller."

CHARLES PARSHALL

The bill (S. 612) for the relief of Charles Parshall, Fort Peck Indian allottee, of the Fort Peck Reservation, Mont., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles Parshall, a Fort Peck Indian allottee, of Poplar, Mont., the sum of \$710, out of any money in the Treasury not otherwise appropriated, as compensation for and in full satisfaction of any claim the aforesaid Charles Parshall may have against the Government by reason of the refusal, neglect, and failure of the Secretary of the Interior to admit Charles Parshall, an Indian of the Fort Peck Indian Reservation, to the Fort Peck Hospital, a Government hospital, thereby necessitating said Charles Parshall to spend and pay out of his own funds the said sum of \$710.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF TIME FOR PAYMENT OF CHARGES ON INDIAN IRRIGATION PROJECTS

The bill (S. 1533) to authorize the Secretary of the Interior to extend the time for payment of charges due on Indian irrigation projects, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That where an individual water user or individual applicant for a water right under any irrigation project constructed or being constructed, and operated under the direction of the Commissioner of Indian Affairs is unable to pay any construction and/or operation and maintenance charges due and payable, the Secretary of the Interior is hereby authorized, in his discretion, to extend the date of payment of any such charge for a period not to exceed five years from the date of extension thereof: *Provided*, That the applicant for the extension shall show to the satisfaction of the Secretary of the Interior, by a detailed, verified statement of his assets and liabilities an actual inability to make payment at the time the application is made, and an apparent ability to meet the deferred charge when the extension expires, and that the applicant is actually cultivating the land against which the charge sought to be extended has accrued: *Provided further*, That upon such adjustments being made in pursuance hereto any penalties or interest which may have accrued in connection with such unpaid charges shall be canceled, and in lieu thereof the amount, including accrued interest so extended, shall draw interest at a rate to be fixed by the Secretary of the Interior from the date of the extension.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTABLISHMENT OF ADDITIONAL LAND OFFICES

The bill (S. 107) establishing additional land offices in the States of Montana, Oregon, South Dakota, Idaho, New Mexico, Colorado, and Nevada was considered as in Committee of the Whole.

Mr. JONES. Mr. President, I have not had an opportunity to examine that bill, and I desire to do so.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The bill will be passed over under objection.

LXXII—541

Mr. STEIWER. Mr. President, will the Senator withhold his objection for just a moment? I shall not ask that the bill not go over; but while we have it before the Senate I desire to have a typographical error corrected which I observe in line 21, page 2.

The PRESIDING OFFICER. Will the Senator from Washington withdraw his objection in order to permit an amendment to be offered?

Mr. JONES. Yes; that is all right.

Mr. STEIWER. Before the bill goes over, I ask unanimous consent to make the correction in that line by changing the word "Harvey" to "Harney."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 21, strike out "Harvey" and insert "Harney."

The amendment was agreed to.

The PRESIDING OFFICER. The bill will now go over under objection.

WATER-RIGHT CHARGES ON IRRIGATION PROJECTS

The bill (H. R. 8296) to amend the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes," was considered as in Committee of the Whole.

The bill had been reported from the Committee on Irrigation and Reclamation with amendments, on page 2, line 3, to strike out the word "sums" and to insert in lieu thereof the word "sum," and to insert at the end of the bill a new section, as follows:

SEC. 2. All contracts with the Government touching the project shall be uniform as to time of payment and charge for the construction of the St. Mary's diversion.

So as to make the bill read:

Be it enacted, etc., That the act of May 25, 1926 (44 Stat. L., 636), be, and the same is hereby, amended by adding after section 20 of said act sections 20-A and 20-B, as follows:

"SEC. 20-A. There shall be deducted from the total cost chargeable to the Chinook division of this project the following sum:

"(1) Twenty-one thousand six hundred and eighty-four dollars and fifty-eight cents, or such amount as represents the construction cost as found by the Secretary of the Interior against the following lands:

"(a) One thousand seven hundred and seventy and seventeen one-hundredths acres permanently unproductive because of nonagricultural character.

"SEC. 20-B. All payments upon construction charges shall be suspended against the following lands in the Chinook division:

"(a) Twelve thousand six hundred and seventeen and sixty-four one-hundredths acres temporarily unproductive because of heavy soil and seepage; (b) eleven thousand three hundred and seven acres for which no canal system has been constructed, all as shown by the land classification of the Chinook division made under the direction of the Secretary of the Interior and approved by him under date of January —, 1930. The Secretary of the Interior, as a condition precedent to the allowance of the benefits offered under sections 20-A and 20-B, shall require each irrigation district within the Chinook division to execute a contract providing for repayment of the construction charges as hereby adjusted within 20 years and upon a schedule satisfactory to said Secretary; and no water from the St. Mary River watershed shall be furnished for the irrigation of lands within any district after the irrigation season of 1930 until the required contract has been duly executed."

SEC. 2. All contracts with the Government touching the project shall be uniform as to time of payment and charge for the construction of the St. Mary's diversion.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CARLSBAD CAVERNS NATIONAL PARK

The bill (H. R. 9895) to establish the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 2, line 20, after the word "Interior" and before the period, to insert a comma and the following: "to include any or all of the following-described lands to wit: Sections 1, 12, and 13, in township 24 south, range 22 east; sections 1 to 18, inclusive, 20 to 28, inclusive, and 33 to 36, inclusive, in township 24 south, range 23 east; the entire township in township 24 south, range 24 east; sections 6, 7, 18, and 19, and 27 to 34, inclusive, in township 24

south, range 25 east; sections 24, 25, 35, and 36, in township 25 south, range 22 east; the entire township in township 25 south, range 23 east; north half of township in township 25 south, range 24 east; sections 5, 6, 7, 8, 17, and 18, in township 25 south, range 25 east; sections 1, 2, 11, 12, 13, and 14, and from 19 to 36, inclusive, in township 26 south, range 22 east; west half of township and sections 22 to 26, inclusive, in township 26 south, range 23 east; all with respect to the New Mexico principal meridian," so as to read:

Be it enacted, etc., That the tract of land heretofore known as the Carlsbad Cave National Monument, in the State of New Mexico, established and designated as a national monument under the act of June 8, 1906, entitled "An act for the preservation of American antiquities," and by presidential proclamation of October 25, 1923, be, and the same is hereby, declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Carlsbad Caverns National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Carlsbad Cave National Monument.

SEC. 2. That the administration, protection, and development of said Carlsbad Caverns National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," and acts supplementary thereto or amendatory thereof.

SEC. 3. That the provisions of the act of June 10, 1920, known as the Federal water power act, shall not apply to or extend over the land hereby or hereafter reserved and dedicated as the Carlsbad Caverns National Park.

SEC. 4. That the boundaries of said Carlsbad Caverns National Park may be enlarged by subsequent proclamation or proclamations of the President upon the recommendations of the Secretary of the Interior, to include any or all of the following-described lands, to wit: Sections 1, 12, and 13, township 24 south, range 22 east; sections 1 to 18, inclusive, 20 to 28, inclusive, and 33 to 36, inclusive, township 24 south, range 23 east; the entire township 24 south, range 24 east; sections 6, 7, 18, and 19, and 27 to 34, inclusive, township 24 south, range 25 east; sections 24, 25, 35, and 36, township 25 south, range 22 east; the entire township 25 south, range 23 east; north half of township 25 south, range 24 east; sections 5, 6, 7, 8, 17, and 18, township 25 south, range 25 east; sections 1, 2, 11, 12, 13, and 14, and 19 to 36, inclusive, township 26 south, range 22 east; west half of township and sections 22 to 26, inclusive, township 26 south, range 23 east; all with respect to the New Mexico principal meridian.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

COAL LANDS IN ALABAMA

The bill (S. 4119) to extend the provisions of section 2455 of the Revised Statutes of the United States (U. S. C., title 43, sec. 1171), as amended, to coal lands in Alabama, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the provisions of section 2455 of the Revised Statutes of the United States (U. S. C., title 43, sec. 1171), as amended, be, and the same are hereby, extended to the surveyed unreserved, unappropriated public lands in the State of Alabama which have been reported as containing coal deposits and which were withheld from homestead entry under the provisions of the act of Congress entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883, but there shall be a reservation to the United States of the coal in all such lands so sold and of the right to prospect for, mine, and remove the same in accordance with the provisions of the act of Congress approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," and such lands shall be subject to all the conditions and limitations of said act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALE OF LANDS IN THE DISTRICT OF COLUMBIA

The bill (S. 4222) to authorize the Commissioners of the District of Columbia to sell by private or public sale a tract of land acquired for public purposes, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 1, line 4, to strike out the words "or private," before the word "sale," so as to make the bill read:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to sell by public sale all of a

tract of land numbered on the assessment and taxation books as parcel 169-14, described as beginning for the same at the southwest corner of said parcel 169-14, said point of beginning being 275 feet, more or less, east of the westerly boundary of the parcel formerly numbered as parcel 169-10, and running thence due north 90.18 feet; thence due east 100 feet; thence due south 109.82 feet; thence due north 78° 53' west, along the southerly boundary of said parcel 169-14, 142.43 feet to the point of beginning, containing 10,000 square feet, being the same property as acquired by the District of Columbia under District Court Cause No. 869, and with the proceeds thereof to acquire by purchase or condemnation part of parcel 170-13, described as one piece or parcel of land, as follows: Beginning for the same at the most southerly corner of said parcel 170-13, said point of beginning being in the northeasterly line of a road 33 feet wide, and running thence with the said northeasterly line of said road, north 42° 47' west 154.48 feet to the taking line of the Anacostia Park; thence with said taking line, deflecting to the left with the arc of a circle the radius of which is 638.22 feet, northerly 241.31 feet, to the northwesterly boundary of said parcel 170-13; thence with said northwesterly boundary, leaving said taking line and running north 47° 13' east 27.74 feet; thence leaving said northwesterly boundary and running north 73° 45' east 256.27 feet; thence south 42° 47' east 214.32 feet to the southeasterly boundary of said parcel 170-13; thence with said southeasterly boundary, south 47° 29' 40" west 304.65 feet; thence still with said southeasterly boundary, south 45° 54' west 115.91 feet to the point of beginning, containing 108,734 square feet, or as much thereof as may be acquired with the proceeds of the sale of parcel 169-14, above described, all as shown on plat of computation in survey book No. 97, page 9, surveyor's office, District of Columbia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Commissioners of the District of Columbia to sell by public sale a tract of land acquired for public purposes, and for other purposes."

DISPOSAL OF COMBUSTIBLE REFUSE

The bill (S. 4221) for the disposal of combustible refuse from places outside of the city of Washington was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to enter into agreement with the Board of County Commissioners of Montgomery County, State of Maryland; the Board of County Commissioners of Prince Georges County, State of Maryland; the Board of Supervisors of Arlington County, State of Virginia; and/or with the several municipalities, taxing areas, and communities within the counties aforesaid having power and authority to enter into such agreements, said agreements to permit said counties, municipalities, taxing areas, and communities to dispose of combustible material in the incinerators built by the District of Columbia under authority of the act approved March 4, 1929, entitled "An act authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern high-temperature incinerators for the destruction of combustible refuse, and for other purposes," in such kind and quantities, at such times, and for such fees as the said Commissioners of the District of Columbia shall specify: *Provided*, That said counties, municipalities, taxing areas, and communities shall make collections of such material with their own equipment and shall obtain permits from the District of Columbia for hauling or transporting the material over routes within the District of Columbia to be designated by the said commissioners. The commissioners shall have the right to suspend or revoke such agreements if found necessary for the proper and successful operation of these incinerators or for any other reason.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BATHING POOLS IN THE DISTRICT OF COLUMBIA

The bill (S. 4224) to provide for the operation and maintenance of bathing pools under the jurisdiction of the Director of Public Buildings and Parks of the National Capital was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Director of Public Buildings and Parks of the National Capital, in his discretion, is authorized to operate, through the Welfare and Recreational Association of Public Buildings and Grounds, bathing pools under his jurisdiction, and thereupon there may be deposited in the Treasury under the special fund to the credit of said association moneys received for the operation of such pools and be there available for the purposes of said special fund, and this shall be a compliance with the provisions of the act approved February 28, 1929 (45 Stat. 1411-1412).

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLOSING OF STREETS IN THE DISTRICT OF COLUMBIA

The bill (S. 4243) to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That upon the acquisition by either the United States or the District of Columbia, or by both, of all the land in the subdivision of Reno lying within the territory bounded by Thirty-eighth Place, Fessenden Street, Howard Street, and the alley running east and west through squares 1762 and 1846 from the east line of Thirty-eighth Place extended to Howard Street, the Commissioners of the District of Columbia be, and they are hereby, authorized to close Emery Place, Vincent Street, Donaldson Place, McPherson Street, and the public alleys, lying within the above-described limits, or any portion or portions thereof: *Provided*, That upon the closing of said streets or alleys, or any part thereof, the title to the land lying within the portion of the streets or alleys so closed shall revert to the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The bill (H. R. 9758) to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALE OF REAL PROPERTY IN THE DISTRICT OF COLUMBIA

The bill (S. 4226) to authorize the Commissioners of the District of Columbia to sell at public or private sale certain real property owned by the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 4, to strike out the words "or private" before the word "sale," and after the word "sale" to strike out the words "as in their judgment may be most advantageous to the District of Columbia," so as to make the bill read:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to sell at public sale, property described as lot 802 in square 1606, being all of the land owned by said District in said square, at a price not less than 25 per cent above the last assessed value of said property; and the said commissioners are hereby empowered to execute the necessary conveyances on behalf of the District of Columbia. The proceeds from said sale shall be paid into the Treasury of the United States to the credit of the revenues of the District of Columbia.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Commissioners of the District of Columbia to sell at public sale certain real property owned by the District of Columbia, and for other purposes."

EDWARD C. COMPTON

The bill (S. 3171) for the relief of Edward C. Compton was considered as in Committee of the Whole.

The bill had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Edward C. Compton, of Savannah, Ga., United States registered bond No. 20041, in the denomination of \$1,000, inscribed "Edward Compton," of the second Liberty loan 4½ per cent bonds of 1927-1942, with interest from May 15, 1927, to November 15, 1927, without presentation of the bond, said bond having been alleged incompletely assigned in blank and subsequently lost: *Provided*, That said bond shall not have been previously presented and paid: *And provided further*, That the said Edward C. Compton shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said bond, and the final interest thereon, payable November 15, 1927, in such form and with such corporate surety or sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the bond hereinbefore described.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IRENE RUCKER SHERIDAN

The bill (S. 319) granting an increase of pension to Irene Rucker Sheridan was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with an amendment, on page 1, line 8, to strike out "\$5,000" and insert in lieu thereof "\$3,600," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Irene Rucker Sheridan, widow of Philip Henry Sheridan, late general and commander in chief of the United States Army, and pay her a pension at the rate of \$3,600 per annum in lieu of that she is now receiving.

Mr. PHIPPS. Mr. President, I think the action of the committee in proposing the amendment reducing the amount from \$5,000 to \$3,600 is rather a mistake. Mrs. Sheridan is the widow of Gen. Phil Sheridan, who had a wonderful record. There have been cases where the widows of other generals have been awarded pensions in the amount of \$5,000, so there is precedent for the larger amount.

Mrs. Sheridan has been drawing a pension at the rate of \$2,500 a year. When that award was made to her the value of \$2,500 was quite as much as \$5,000 would be to-day. Mrs. Sheridan is well along in years, and in all human probability she will not enjoy the advantages of a pension for many years to come. I ask that the amendment be disagreed to and that the bill be approved in the original amount.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY WILLOUGHBY OSTERHAUS

The bill (S. 3646) granting an increase of pension to Mary Willoughby Osterhaus was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with an amendment, on page 1, line 8, to strike out "\$100" and insert in lieu thereof "\$75," so as to read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Willoughby Osterhaus, widow of Rear Admiral Hugo Osterhaus, late of the United States Navy, and pay her a pension at the rate of \$75 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALARIES OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The bill (S. 4242) to fix the salaries of the Commissioners of the District of Columbia was announced as next in order.

Mr. JONES. I shall have to ask that this bill may go over. The PRESIDING OFFICER. The bill will be passed over.

PUBLIC BATHHOUSES AT HOT SPRINGS, N. MEX.

The bill (S. 497) to provide for the erection and operation of public bathhouses at Hot Springs, N. Mex., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, line 4, after the word "hereby," to insert the words "authorized to be," and on page 2, line 6, to strike out "\$250,000" and insert in lieu thereof "\$100,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to provide for the erection, equipment, operation, and maintenance on the portion of block 97 marked "Reserve" on the plat of the town site of Hot Springs, N. Mex., of suitable bathhouses and bathing facilities for the accommodation of the public. The said Secretary is authorized to make such rules and regulations as may be necessary to carry out the purposes of this act, including the fixing of reasonable charges for baths and bathing privileges at such bathhouses and for the services furnished to bathers by the persons employed therein.

Sec. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, for carrying out the purposes of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREMONT NATIONAL FOREST, OREG.

The bill (H. R. 3717) to add certain lands to the Fremont National Forest in the State of Oregon was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAND AT HOT SPRINGS NATIONAL PARK, ARK.

The bill (S. 1183) to authorize the conveyance of certain land in the Hot Springs National Park, Ark., to the P. F. Connelly Paving Co. was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized, in his discretion, to convey to the P. F. Connelly Paving Co., of Little Rock, Ark., by the issuance of patent or other appropriate instrument of conveyance, and at an appraised value to be approved by said Secretary, that certain tract of land located within the Hot Springs National Park, Garland County, Ark., described as follows: Beginning at a point on the west boundary line of Hot Springs National Park, Ark., said point being the most southerly corner of lot 32, block 128, United States Hot Springs Reservation, as surveyed, mapped, and platted by the United States Hot Springs commissioners; thence in a southeasterly direction and at right angles to the boundary of Hot Springs National Park aforesaid, a distance of 50 feet; thence in a northeasterly direction and parallel with the aforementioned boundary line, 290 feet; thence in a northwesterly direction a distance of 50 feet to the aforementioned boundary line; thence in a southwesterly direction along said boundary line a distance of 290 feet to the point of beginning; and, upon the transfer of title to said land to the said company, the same shall be, and is hereby, eliminated from the said Hot Springs National Park.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

C. M. WILLIAMSON AND OTHERS

The bill (S. 1299) for the relief of C. M. Williamson, C. E. Liljenquist, Lottie Redman, and H. N. Smith was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in lines 7 and 8, to strike out "\$13,134.99. Such sum represents the amount" and insert in lieu thereof "\$8,824.10, said sum to be in full and final settlement of all claims against the Government for moneys," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. M. Williamson, C. E. Liljenquist, Lottie Redman, and H. N. Smith in accordance with their respective interests the sum of \$8,824.10, said sum to be in full and final settlement of all claims against the Government for moneys expended by them in installing a pumping plant and making necessary connections to bring water to their land on Fort Hall Indian Reservation in Idaho, and the amount paid by them to the Idaho Power Co. during the years 1920 to 1927, inclusive, for power to operate said pumping plant.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL DISTRICT JUDGE, CALIFORNIA

The bill (S. 1792) to provide for the appointment of an additional district judge for the southern district of California was announced as next in order.

Mr. JONES. Mr. President, I find four bills on the calendar providing for additional judges. I want to have an opportunity to examine those bills before they pass. I have been pressing for an additional Federal judge in the western district of Washington for quite a while. I want to see what sort of a case is made with reference to these judgeships before they are acted upon.

Mr. STEPHENS and Mr. SHORTRIDGE addressed the Chair. The PRESIDING OFFICER. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I have simply stated that I desire to examine these bills and the reports accompanying them.

Mr. STEPHENS. Mr. President, to what bill does the Senator refer?

Mr. JONES. I refer to all four of the bills on the calendar providing for additional judgeships.

Mr. STEPHENS. Including the bill for a circuit judge?

Mr. JONES. Yes.

Mr. SHORTRIDGE. Will not the Senator withhold his objection for just a moment?

Mr. JONES. It will be time taken up unnecessarily.

Mr. SHORTRIDGE. I hope not. I wish to put in the RECORD some information as to the pressing need of an additional judge for this district.

The PRESIDING OFFICER. Will the Senator from Washington withhold his objection?

Mr. SHORTRIDGE. I do not purpose making an address or a speech.

The PRESIDING OFFICER. The Chair desires to know whether the Senator from Washington withholds his objection.

Mr. JONES. I withhold the objection for a moment.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. SHORTRIDGE. I appreciate the courtesy of the Senator. Before introducing this bill I made inquiry of the judges of that district and have received and have before me a letter addressed to me by the presiding senior judge, Judge William P. James.

I made inquiry also of the bar association of Los Angeles, where the court sits, and I have here a letter addressed to me from that association.

I have before me an editorial from the Los Angeles Examiner in respect of this district and the urgent necessity for this additional judge.

To the end that my friend from Washington may be advised, when he comes to further consider this bill, in connection with others, I ask permission to incorporate these several documents in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

REPORT OF THE COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary, to whom was referred the bill (S. 1792) to provide for the appointment of an additional district judge for the southern district of California, after full consideration, reports the same favorably and recommends the passage of the bill without amendment.

The committee incorporates as a part of this report an excerpt from the report of the Attorney General, dated December 2, 1929. The Attorney General recommends that the legislative program suggested and approved by the conference of senior circuit judges be adopted. On page 5 of the Attorney General's report is the following recommendation with respect to the southern district of California:

"* * * But the condition of business in the southern district of California, due to the rapid increase in the cases filed and presented for disposition, is such that the council has recommended the appointment of another district judge for that district, and the statistics seem to justify the recommendation."

[From the Los Angeles Examiner, January 24, 1930]

MORE FEDERAL JUDGES NEEDED

Justice should be swift as well as sure. In the punishment of crime speed and certainty are more important than severity.

Swifter justice could be less severe and at the same time still more effective.

The ideal in human law is the nearest approach to the law of nature in which there are neither punishments nor rewards, but only inevitable consequences.

There is more crime in America not because our people are more criminal, but because there is more delay and more uncertainty in the law, and some of our laws are in themselves an incentive to crime.

But all justice is not occupied with the punishment of criminal offenses and offenses against unnecessary laws.

Our courts have other work to do, when they can get around to it, and delay in noncriminal suits can be almost as disastrous to the social and economic life of our people.

It is bad for business to keep business waiting weeks, months, and sometimes years for the settlement of legal disputes either between business men or between them and the law.

The cost of maintaining courts for the trial of such cases may be trifling as compared with the cost of delay to the business world.

All over the country there is a cry for more Federal judges and the demand is specially urgent in the Los Angeles district. The local Federal court is so cluttered with dry law cases there is immediate and imperative need of at least one additional Federal judge. Two would be better, but with the National Government so occupied in regulating the personal habits and customs of the people there may be small hope of getting judges enough to cope adequately with the congestion.

One extra judge would do something to reduce the total of 471 criminal cases now pending in the Los Angeles Federal courts. He could help to clear the calendar and keep it down at least until prohibition gives us a still larger crop of criminals and liquor law offenders.

LOS ANGELES, CALIF., April 29, 1930.

Hon. SAMUEL M. SHORTRIDGE,

United States Senator, Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Pursuant to our telegram of April 25, we beg to advise the trustees of the Los Angeles Bar Association have investigated the situation with respect to the need for at least two additional judges of the District Court of the United States for the Southern District of California. We understand that Congressman CRAIL has introduced a bill—H. R. 4574—providing for such additional judges; the judges, if appointed, to possess the same powers, perform the same duties, and receive the same compensation as the present district court judges of this district.

The very large increase of population in the southern judicial district of California and the greatly increased number of important pending cases, civil and criminal, make it of the utmost importance, if the business of the court is to be handled without unreasonable delay, that additional judges be obtained. The three Federal judges now in office are all of them distinguished by their ability and industry, but in spite of their utmost efforts it is impossible for them to keep abreast of the great amount of important litigation pending before them. The inability to obtain trials in important cases for many months after they are ready for trial works great injustice to litigants and is equally a source of discouragement to the courts. Long delay in the trial of cases is frequently a virtual denial of justice. In recent years the United States Supreme Court has remedied the congestion of its calendar mainly, we believe, by the stricter rules with respect to appeals. This remedy is not possible in trial courts of original jurisdiction. The appointment of additional judges in this district would not, we believe, lessen the labors of the present judges, but would prevent the district court from getting further and further behind in the handling of its business. No other remedy is possible.

For your information the bar association is herewith inclosing a copy of a statement of the condition of court business in the southern judicial district of California, as prepared by the senior district judge, Hon. William P. James, of the southern district of California; also certain statistical information with respect to the increase in population of counties within the southern judicial district of California and a typewritten copy of bill H. R. 4574, introduced by Mr. CRAIL, Congressman from this district.

The bar association looks upon this legislation as of the utmost importance, as nonpartisan, and as free from the slightest suspicion of selfishness. Your assistance in the favorable passage of this bill will be greatly appreciated by the bar association.

Yours very truly,

LOS ANGELES BAR ASSOCIATION,
By NORMAN A. BAILIE, President.

STATEMENT OF THE CONDITION OF COURT BUSINESS IN THE SOUTHERN JUDICIAL DISTRICT OF CALIFORNIA, AS MADE BY THE SENIOR DISTRICT JUDGE

Under the act of Congress of 1922, the number of district judges in the southern district of California was increased from two to three. Since that time there have been no further additions made. The district contains 17 counties. Two terms of court each year are required to be held at Fresno, in the central part of the State, and two terms each year at San Diego, at the southern end of the district. The court sits between the San Diego and Fresno sessions continuously at Los Angeles. The population of the district since 1920 has doubled. The judicial work at Fresno and San Diego requires the time of one judge, while there is in the Los Angeles division alone more than enough work for the present number of judges. As the population is greatest in Los Angeles County, where the increase has been 160 per cent during the past eight and one-half years, a comparison between the judicial machinery which the State employs in that county alone will furnish a fair basis upon which to estimate the needs in the Federal court. At the beginning of the year 1923 there were in Los Angeles County 23 judges of the superior court, a court having general and unlimited criminal and civil jurisdiction. In June, 1923, the State legislature increased the number of superior judges in that county to 28. In 1925 the legislature created for Los Angeles City a new and additional court, known as the "municipal court," with 24 judges, this court being given enlarged inferior jurisdiction, civil and criminal. In 1927 the number of superior judges in Los Angeles County was again increased by the addition of 10, making a total of 38 superior judges in 1927, as against 23 judges of the same rank in 1923. During the past two years, in addition to the 38 superior judges sitting, an average of 11 extra sessions of the superior court, held by assigned judges, have been at work. It will thus be seen that the judicial machinery provided for Los Angeles County since the beginning of the year 1923 has been more than doubled.

The work of the Federal district court at San Diego and Fresno has greatly increased during the past few years. In San Diego the proximity of the Mexican line brings a constant stream of tariff and immigration cases, and the ports of Los Angeles and San Diego add largely to

the same class of business. For several years past civil litigants have not had the proper consideration, on account of the lack of dates available for the trial of their cases. We call a term calendar for setting at the regular term dates fixed by statute (six months apart), and I think for at least three years now one-half of the civil cases on the term calendar have been continued for the term because of lack of open dates. If all of the cases on the term calendar at Los Angeles, at the recent September call, had been set for trial, the calendars would have been filled nine months ahead. We usually fill the term full for six months in advance, and the remainder of the cases are put over. There were 38 per cent more cases at issue on our September calendar than there were at issue six months ago.

The district judges in other districts of the ninth circuit are so busily engaged in their own districts that it is only occasionally that we can secure the help of a visiting judge for a month or two. The bar does not favor the use of visiting judges, because when a judge's term of assignment expires he returns to his own district and there are usually motions for new trials and various proceedings thereafter, which can not well be presented to the judge who tried the case.

The greater part of our work in this district is of the heavier sort. On the criminal side, in addition to a general assortment of Government prosecutions, there are many mail fraud cases, which occupy weeks in the trial thereof; and in addition to the very diversified line of civil litigation there are numerous patent cases which occupy a great deal of trial time. It is not the small Volstead case that is producing the congestion. Most of the small prohibition matters are taken by the Federal agents through the justice's and police courts of the counties.

There is no prospect that the load will lessen, because of the constantly growing population within the district. As is well known, southern California has had a most phenomenal growth. The port of Los Angeles has become one of the great tonnage ports of the country. That condition has produced a considerable line of admiralty cases. Likewise, the port of San Diego contributes to the same class of litigation.

It is not that more judges will lessen the work of the present judges, but that the litigants, both the Government and civil parties, may have a reasonably early trial of their cases. I think with two judges added we can cut the time down so that litigants can be heard within three or four months, but that all of the judges will be kept busy all of the time.

It is well known that great delay in the trial of causes works damage to the interests of the parties concerned, oftentimes to the extent that the results obtained are worthless. Witnesses disappear or move away from the jurisdiction, litigant parties become financially irresponsible, and many other conditions arise whereby long delay produces denial of justice.

There is attached a schedule showing the counties composing the southern district of California, and population figures as of 1920 and 1929. The 1920 figures are approximately those shown by the national census. The 1929 figures are received from the county clerks of the different counties and are estimated by them from registers of voters, school attendance, telephone subscribers, and similar approved data.

WM. P. JAMES,
Senior District Judge.

Increase in population of counties within the southern judicial district of California

County	Population, 1929	Population, 1920	Per cent increase since 1920 (approximately)
Los Angeles	2,422,663	636,455	180
Fresno	182,000	128,779	45
Ventura	46,000	30,000	50
Kings	25,000	17,000	50
Inyo	7,000	7,000	00
Madera	19,000	12,000	60
Tulare	71,284	50,031	45
Kern	100,000	50,000	100
Imperial	75,000	55,000	40
San Bernardino	153,342	73,401	110
Santa Barbara	57,500	35,937	60
Orange	140,000	100,000	40
San Luis Obispo	34,000	27,000	25
San Diego	248,691	117,274	110
Riverside	83,000	59,462	40
Merced	35,000	26,000	35
Mariposa	4,000	3,400	20
	3,703,480	1,728,739	115

The PRESIDING OFFICER. Upon objection of the Senator from Washington, the following bills will be passed over: Senate bill 1792, to provide for the appointment of an additional district judge for the southern district of California; Senate bill 1906, for the appointment of an additional circuit judge for the fifth judicial circuit; Senate bill 3229, to provide for the appointment of an additional district judge for the southern district of New York; and Senate bill 3493, to provide for the

appointment of an additional circuit judge for the third judicial circuit.

Mr. HARRIS. Mr. President, I understand the Senator from Washington makes an objection to the bill for an additional circuit judge for the fifth judicial circuit?

The PRESIDING OFFICER. The bill has been passed over under objection.

Mr. HARRIS. I am sure the report of the Attorney General and others will convince the Senator from Washington that this additional judge is very much needed.

Mr. SHORTRIDGE. Mr. President, I may add to what I stated a moment ago that the bill I have introduced in respect to the southern California district is approved by the Department of Justice.

The PRESIDING OFFICER. The Secretary will report the next bill.

BUREAU OF PROHIBITION, DEPARTMENT OF JUSTICE

The bill (H. R. 8574) to transfer to the Attorney General certain functions in the administration of the national prohibition act, to create a bureau of prohibition in the Department of Justice, and for other purposes, was announced as next in order.

Mr. TYDINGS. I ask that that bill go over.

The PRESIDING OFFICER. The bill will go over under objection.

TEXTILE FOUNDATION

The bill (H. R. 9557) to create a body corporate by the name of the "Textile Foundation" was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 11588) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 13, after line 21, to strike out:

The name of Cora A. Spencer, widow of Daniel Spencer, late of Company C, Seventeenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, after line 6, to strike out:

The name of Annie Doughty, widow of Richard Doughty, late of Company F, First Battalion Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 41, after line 13, to strike out:

The name of Sarah F. Ragland, widow of James A. Ragland, late of Capt. J. N. Long's Company B, First Regiment Capitol Guards, Kentucky State Troops, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The next amendment was, on page 88, after line 18, to strike out:

The name of Harriet E. Norrington, widow of John F. Norrington, late of Company E, Thirteenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 134, after line 14, to strike out:

The name of Emma A. Ragan, widow of John W. Ragan, late of Company H, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 137, after line 21, to strike out:

The name of Amanda Miner, widow of Martin Miner, late of Company C, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 143, to strike out:

The name of Lucy C. Bowler, widow of George W. Bowler, late of Company N, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 145, after line 16, to strike out:

The name of Eliza A. Pendergast, widow of Samuel H. Pendergast, late of Company C, Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 157, after line 17, to strike out:

The name of Amanda J. Black, widow of Neal J. Black, late of Company I, Second Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 180, after line 21, to strike out:

The name of Eliza J. Reed, widow of John C. Reed, late of Company F, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 181, after line 21, to strike out:

The name of Mary A. Guy, widow of John Guy, late of Company F, Twenty-fifth Regiment Missouri Volunteer Infantry, and Company D, First Regiment Missouri Volunteer Engineers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 203, after line 3, to insert:

The name of Adella Legrow, helpless child of Samuel H. Legrow, late of Company B, Eighth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Nancy S. Walker, widow of Richard A. Walker, late of Captain Edleman's Company A, Cavalry Detachment Sixty-fourth Enrolled Missouri Militia, and pay her a pension at the rate of \$30 per month.

The name of William M. Atchison, late of Capt. George R. Barber's Fleming County, Ky., State Troops, and pay him a pension at the rate of \$50 per month.

The name of John Cook, late of Captain Walker's company for volunteers, attached to One hundred and ninetyeth Regiment Twenty-seventh Brigade, Fifth Division West Virginia Militia, and pay him a pension at the rate of \$50 per month.

The name of Harriet J. Ball, widow of Robert E. Ball, late of Troop E, Eleventh Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Matilda Ann Price, widow of John H. Price, late of Company C, First Regiment Nebraska Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. D. Buzzell, widow of Warren I. Buzzell, late of Company C, Twenty-eighth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Frank H. Greenough, widow of Milon E. Greenough, late of Company E, One hundred and second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Cornelia L. Hough, widow of Daniel H. Hough, late of the United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine M. Hayward, widow of George F. Hayward, late of Company C, Sixtieth Regiment Massachusetts Militia Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary J. Baldwin, widow of Amzi W. Baldwin, late of Company E, Thirteenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Alice V. Stanley, widow of Henry C. Stanley, late of Captain Degg's company, Fifth Battalion, District of Columbia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Marinda O. Miles, widow of William H. Miles, late of Company C, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Rosetta Barnes, widow of Newton Z. Barnes, late of the United States Navy, and pay her a pension at the rate of \$30 per month.

The name of Peter B. Coleman, late of Company F, Sixty-third Regiment Missouri Militia, and pay him a pension at the rate of \$50 per month.

The name of Ann Eliza McClung, widow of William McClung, late of Capt. James R. Ramsey's company, West Virginia State Troops, and pay her a pension at the rate of \$30 per month.

The name of Alta K. Conley, widow of James H. Conley, late of Company F, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$20 per month, and \$30 when it is shown she has attained the age of 60 years.

The name of Hattie Smith, widow of Harrison Smith, late of Company E, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret A. Ridgway, widow of George B. Ridgway, late of Company H, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ottillia H. Smith, widow of Amos T. Smith, late of Company D, Ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine J. Belden, widow of Henry C. Belden, late of Company D, Fifty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Winifred Wallace, widow of Michael D. Wallace, late of Company F, Thirty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Emma F. McClaughry, widow of Robert W. McClaughry, late of Company B, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Amanda A. McKinney, helpless child of Joseph McKinney, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Jane Kelley, widow of John Kelley, late of Troop B, First Regiment Rhode Island Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of George C. Hall, helpless child of Thomas B. Hall, late of Company I, Eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Samantha V. Cooper, widow of Charles C. Cooper, late of Company I, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha J. Underwood, widow of Ellis Underwood, late of Company C, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Bertha C. Riley, helpless child of John Wesley Riley, late of Company D, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Nancy Blitz, widow of Charles Blitz, late of Company C, Sixty-seventh Regiment New York National Guard Infantry, and pay her a pension at the rate of \$30 per month.

The name of Rosetta Emery, widow of Samuel A. Emery, late of the United States Navy, and pay her a pension at the rate of \$30 per month.

The name of Sarah J. Wells, widow of Samuel Wells, late of Company C, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lizzie Wright, widow of William S. Wright, late of Company C, Twelfth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Silas W. Kelly, late of Capt. Joshua C. Perkin's Company C, Harlan County Battalion, Kentucky State Guards, and pay him a pension at the rate of \$50 per month.

The name of Sarah Meadors, former widow of Samuel Freeman, late of Company B, Hall's Gap Battalion, Kentucky Militia, and pay her a pension at the rate of \$30 per month.

The name of Manerva Morgan, widow of John H. Morgan, late of Capt. William Eversoles's Company C, Three Forks Battalion, Kentucky State Troops, and pay her a pension at the rate of \$30 per month.

The name of Jennie Riley, widow of Philip Riley, late of the United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen J. Strong, helpless child of Charles B. Strong, late of Company K, One hundred and sixty-fourth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary J. Perry, widow of Oran Perry, late of Company B, Sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jessie May Bennett, widow of Amos F. Bennett, late of Company M, Fiftieth Regiment New York Engineers, and pay her a pension at the rate of \$20 per month, and \$30 when she has attained the age of 60 years.

The name of Adaline Hendrixson, widow of Francis M. Hendrixson, late of Company B, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Abbie W. Mudgett, widow of Henry E. Mudgett, late of Company E, Thirteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Josephine Chapman, widow of James W. Chapman, late of Company A, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Tasher, widow of John C. Tasher, late of Company B, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elsie E. Bradd, widow of James H. Bradd, late of Company A, Thirteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Fannie Badders, widow of James M. Badders, late of Company A, Twentieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Matilda LaCoss, widow of Adolph LaCoss, late of Company E, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma E. Waldo, widow of Dillingham Waldo, late of Company E, Second Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving, and the pension of the helpless child continued.

The name of Malenda Lendormi, widow of Paulin Lendormi, late of Company A, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Johanna Sherer, widow of Peter Sherer, late of Company B, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amelia Lines, widow of Elliott Lines, late of Company G, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Josephine F. Gibson, widow of Archibald Gibson, late of Company D, Twelfth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie A. Getchell, helpless child of Charles O. Getchell, late of Company F, First Regiment Minnesota Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Leacy V. Welch, former widow of Lorenzo D. Gilbreath, late of Troop E, Third Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan Shores, widow of Ethan P. Shores, late of Company K, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie Gilmore, widow of Milton Gilmore, late of Company A, Thirty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Marion J. Ellis, widow of Abram H. Ellis, late of Troop C, Seventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Aletha E. Eakes, widow of Joseph R. Eakes, late of Company C, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Laura B. Strider, former widow of Jasper W. Reed, late of Company B, Forty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie Lochray, widow of Archie Lochray, late of Company H, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jemima Colver Rose, former widow of Lewellyn Colver, late of Company I, First Regiment Oregon Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Catharine Moxley, widow of Willis Moxley, late of Company D, One hundredth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie L. Dowlan, widow of William Dowlan, late of Company E, Eleventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine J. Wilson, widow of Addison W. Wilson, late of Company K, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary J. Clark, widow of Granville P. Clark, late of Troop A, Twelfth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna K. Gleitch, widow of George S. Gleitch, late of Company G, First Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Caroline Brunson, widow of Theophilus G. Brunson, late of Company H, Second Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Emma G. Heffner, widow of James Heffner, late of Company L, Third Regiment Pennsylvania Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eliza I. Duff, widow of William M. Duff, late of Company D, Twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Frances E. O'Brien, widow of David O'Brien, late of Company K, Twentieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving, and the helpless child, Leona, to \$20 per month subject to the provisions and limitations of the pension laws.

The name of Mary H. White, widow of William W. White, late of Company L, Fifth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary M. Battis, widow of Wilkins M. Battis, late of Company C, Nineteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Georgetta Fuller, widow of Ezra B. Fuller, late of Company E, One hundred and forty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of William L. Ross, enlisted under the name of William A. Murray, late of Ninety-third Regiment New York Infantry, and pay him a pension at the rate of \$50 per month.

The name of Ruth E. Richardson, widow of Jabez T. Richardson, late of Troop K, First Regiment Connecticut Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie E. Withey, widow of Elbridge Withey, late of Company H, Eleventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen C. Riley, widow of Edward Riley, late of Troop I, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Cynthia F. Knapp, widow of Devillo Knapp, late of Company K, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rosanna Bishop, widow of Edwin M. Bishop, late of Company I, One hundred and eighty-ninth Regiment New York Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna B. Flaherty, widow of Michael Flaherty, late of Company K, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$20 per month, and \$30 when 60 years of age.

The name of Susan A. May, widow of Charles H. May, late of Company B, Sixteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah Connell, widow of John Connell, late of Company M, Tenth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret A. Day, widow of Carlos P. Day, late of the United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Hinchman, widow of Joseph E. Hinchman, late of Company G, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Alice Howard, widow of James P. Howard, late of band, Seventh Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna P. Fuller, widow of Samuel G. Fuller, late of Company E, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Matilda A. Riggs, widow of James Riggs, late of Company B, Seventh Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving, and pension of helpless child to continue.

The name of Lilly Long, widow of William Long, late of Company K, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Laura R. Slater, widow of Thomas J. Slater, late of Troop A, Seventh Regiment West Virginia Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Emily A. Foster, widow of William Foster, late of Company B, Thirtieth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of \$30 per month.

The name of Nannie Fry, widow of William Fry, late of Battery G, First Regiment United States Colored Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Ella J. C. Perry, widow of Leonard Perry, late of Company A, Twenty-fifth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Tolbert, widow of Harris F. Tolbert, late of Company B, Twenty-eighth Regiment North Carolina Infantry Confederate States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hannah P. Ramsey, widow of James Newton Ramsey, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Catherine M. Brown, widow of Henry E. Brown, late of Company B, Seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret McElroy, widow of William McElroy, late of Company D, Cass County, Missouri Home Guards Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucy L. Hamm Vaughan, widow of George M. Vaughan, alias Vaughn, late of Fifth Military District, Enrolled Missouri Militia, staff of Brig. Gen. R. C. Vaughn, and pay her a pension at the rate of \$30 per month.

The name of Demarious Harris, widow of Isaac N. Harris, late of Company B, Second Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary C. Morris, widow of Henry Morris, late of Troop K, Seventh Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Birdie Springsteen, widow of Abram F. Springsteen, late of Company A, Thirty-fifth Regiment Indiana Infantry, and pay her a pension at the rate of \$20 per month and \$30 per month when she has attained the age of 60 years.

The name of Pheba Whitman, widow of John B. Whitman, late of Company D, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ruth R. Nash, widow of Nathan E. Nash, late of Company B, Ninth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan A. Kurtz, widow of Henry Kurtz, late of Company G, Twenty-seventh Regiment Wisconsin Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah P. Abrel, widow of Graffenberg Abrel, late of Company C, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Charlie Hyden, helpless child of John H. Hyden, late of Company F, Twelfth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Priscilla Elmore, helpless child of Jesse Elmore, late of Battery B, First Regiment Kentucky Light Artillery, and pay her a pension at the rate of \$20 per month.

The name of Priscilla Wilson, widow of Alexander H. Wilson, late of Company C, Third Regiment United States Colored Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah Higgins, widow of Parley E. Higgins, late of Troop L, First Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lottie A. Crouch, helpless child of Charles H. Crouch, late of Company B, Maine Coast Guards, and pay her a pension at the rate of \$20 per month.

The name of Rebecca A. Wright, widow of Thomas W. Wright, late of Company G, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Wilson H. Spangenberg, dependent child of George W. Spangenberg, late of Company G, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Emma Fitch, widow of John Fitch, late of Company E, Fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Pricilla Mayer, widow of Philip Mayer, late of Second Independent Battery, Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha Gaggin, former widow of William Leonard Ford, late of Company A, Seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucinda M. Hanna, widow of James W. Hanna, late of Company D, Thirteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lillie Wootan, widow of Daniel Wootan, late of Company A, Eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ollie P. Stallings, widow of David R. Stallings, late of Troop E, Eighth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Maggie M. Phillips, widow of Isaac N. Phillips, late of Troop A, First Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Miranda J. Pickle, widow of Gabriel Pickle, late of Company B, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy Beth, widow of William Beth, late of Troop E, Sixth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Kate F. Thorn, widow of David C. Thorn, late of Company C, Eighty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha E. Crawford, widow of William O. Crawford, late of Company D, One hundred and seventy-ninth Regiment New York Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Ida Jordan, widow of George E. Jordan, late of Company H, Eighteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of J. Alfred Perry, helpless child of James E. Perry, late of Company I, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Sarah E. Emmert, widow of Daniel Emmert, late of Company A, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret Galvin, helpless child of Daniel Galvin, late of Company B, Ninetieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Matilda Brown, widow of John Brown, late of Company K, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emma Turner, widow of Washington Turner, late of Company F, Fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Myron Gibson, helpless child of Thomas Gibson, late of Company E, Tenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Joab Carr, jr., late of Capt. Nathan J. Lambert's Independent Scouts, Tucker County, West Virginia State Troops, and pay him a pension at the rate of \$50 per month.

The name of Hettie A. Kyker, widow of Thomas J. Kyker, late of Troop C, Third Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline Hoyt, widow of Charles L. Hoyt, late of Company E, Fifteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Amanda Metcalf, helpless child of Amos Metcalf, late of Company C, Seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Manda Jane Stringer, helpless child of William Stringer, late of Company A, Twelfth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Sarah J. Ravlin, former widow of Robert McCollom, late of Company H, Eighteenth Regiment New York Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Henrietta Trate, widow of Lot Trate, late of Company D, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Bartley, widow of Jeremiah J. Bartley, late of Company K, Second Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. Edwards, widow of Edmond Edwards, late of Troop A, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma F. Shilling, widow of John Shilling, late of Company H, Third Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna B. Collins, widow of Anderson F. Collins, late of Company F, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rebecca Barnes, widow of Cassius M. Barnes, late of Captain Holland's company, Michigan Mounted Engineers, and pay her a pension at the rate of \$30 per month.

The name of Rachel Morgan, widow of Edwin D. Morgan, late of Company B, Eighty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Butler, widow of James Butler, late of Company A, Sixty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of William Fay, helpless child of Aaron Fay, late of Company H, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Mary E. Stone, former widow of James Cook, late of Company F, Third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah Ann Owens, widow of Patrick Owens, late of Company B, One hundred and eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary P. Law, widow of James B. Law, late of Company F, Twenty-second Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah P. Denham, former widow of Thompson Denham, late of Company B, Thirty-seventh Regiment Kentucky Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Emeline Keeling, widow of Dexter Keeling, late of Company C, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Cornelia F. Grove, widow of Leonard S. Grove, late of Company E, Eighth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth J. Mills, widow of George L. Mills, late of Troop K, Eleventh Regiment Indiana Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rachel A. Moffitt, widow of Hugh Moffitt, late of Company E, Twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of William A. Rowin, helpless child of William Rowin, late of Troop B, Second Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

Mr. McNARY. Mr. President, may I ask the Senator having the bill in charge if this is the same bill that was opposed recently by the Senator from South Dakota [Mr. NORBECK]?

Mr. ROBINSON of Indiana. Answering the query of the Senator from Oregon, I will say that this is the third omnibus bill. It is the regular omnibus pension bill. The bill to which the Senator refers is on the calendar, and will not be acted upon in the absence of the Senator from South Dakota.

Mr. McNARY. Mr. President, the secretary of the Senator from South Dakota called on me recently and expressed the hope that, in the absence of the Senator from South Dakota, no pen-

sion legislation would be taken up unless it involved the bill he had before the Senate some weeks ago.

The PRESIDING OFFICER. This is Calendar No. 477, the Chair will inform the Senator.

Mr. ROBINSON of Indiana. I had a similar telegram, I will say to the Senator from Oregon.

Mr. McNARY. From whom?

Mr. ROBINSON of Indiana. From the Senator from South Dakota, and no such action has been taken as he refers to. In fact, I may say that the Committee on Pensions is at the present time holding the Spanish War pension bill in committee until the Senator from South Dakota returns. The bill to which the Senator specifically refers is the Civil War bill for Union soldiers, their widows, and dependents, which appears as Calendar No. 135.

Mr. McNARY. I favor the measure. I only want to protect the interests of the Senator from South Dakota, but if I may be assured by the Senator from Indiana that he has no objection to this bill, certainly I have none.

Mr. ROBINSON of Indiana. I feel certain the Senator from South Dakota has no objection to the omnibus bill now under consideration.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CITIZENSHIP AND NATURALIZATION OF MARRIED WOMEN

The bill (H. R. 10960) to amend the law relative to the citizenship and naturalization of married women, and for other purposes, was announced as next in order.

Mr. DILL. Mr. President, I would like to know just what this bill does in regard to permitting married women to come back to this country. I am anxious to know what change is made in the present law.

Mr. GOULD. Mr. President, the bill came to us from the House and I was asked to present it. I do so by request. I do not propose to undertake to explain every detail of the bill, because I might start something here that would take as long as the Judge Parker matter to settle, and perhaps longer, because in that case we had a mere man to deal with and this is a woman case. [Laughter.] If the Senator desires, the bill may be passed over for the time being and it can be explained a little later.

Mr. DILL. I am somewhat concerned about the provision of the immigration law that may prohibit married women and women with families, who happen to have been deported, from ever being permitted to come back into the United States. I think it is an inhuman and indefensible provision of law, and it ought to be changed. I had hoped that this bill would give the Secretary of Labor some discretion in permitting mothers who happen to have violated the law and who have been deported under the law to come back into the United States.

Mr. GOULD. I understand the Secretary of Labor has full control.

Mr. DILL. No; the Secretary of Labor has not any control. He has no discretion at all. That is what I am troubled about. That is why I asked whether or not this bill touches that question.

Mr. GOULD. The Committee on Immigration took up the matter and reported the bill as it is now before the Senate. Of course it is subject to amendment.

The PRESIDING OFFICER. Does the Chair understand the Senator from Washington to interpose an objection?

Mr. DILL. I do not care to object to the bill if I can find out what the amendments are.

The PRESIDING OFFICER. Under the existing circumstances, does the Senator from Washington object?

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New York?

Mr. DILL. I yield.

Mr. COPELAND. This bill as it came to the Senate proposes to take care of women who have lost their citizenship by foreign marriage and who, by reason of widowhood or otherwise, have a desire to return to this country. They may become citizens now.

The next feature in the bill relates to the general amnesty as regards naturalization to correspond with the restricted immigration act of July 1, 1924. It will be recalled that that bill passed the Senate unanimously last year, but was not accepted in conference by the House.

The other features of the bill are largely administrative, having to do with conditions under which proof of residence

must be had; also that the requirements of ability to read and write shall apply to certain persons who desire to come into the United States.

Mr. DILL. I notice the bill provides salaries for the commissioner general and the commissioner of naturalization, providing in each case that the salary shall be \$10,000 a year. That is not a proper provision in a bill which relates to widows being admitted into this country and citizenship being established.

Mr. COPELAND. Let us be very frank about it. It is extremely difficult to have any consideration given to Senate naturalization bills by the House. We gave full consideration to the question of the various salary grades in the Naturalization Bureau. Among others, we considered the Commissioner of Immigration and the Commissioner of Naturalization, who have been here many years, and are very highly regarded by every member of the committee who has come in contact with them. Their salaries now, I think, are \$8,500 or \$9,000, and it was considered that they were entitled to the same increase we have given to others.

Mr. DILL. But suppose they should die to-morrow; would the new men be entitled to the same salary? We can not fix salaries according to the particular men in office.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. DILL. If the chairman of the committee will consent to strike out the administrative provisions, I am willing not to interpose an objection; otherwise, I shall interpose an objection. Sections 16 and 17 are purely administrative.

Mr. GOULD. Mr. President, I ask that the bill may go over.

The PRESIDING OFFICER. At the request of the Senator from Maine the bill will be passed over.

MICHIGAN AVENUE GRADE CROSSING, DISTRICT OF COLUMBIA

The bill (S. 4211) to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927, was considered as in Committee of the Whole. The bill had been reported from the Committee on the District of Columbia with an amendment, on page 2, line 8, after the word "viaduct," to strike out the words "and thereafter the cost of maintaining the structure within the limits of its right of way" and to insert "and approaches," so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927, be, and it is hereby, amended to read as follows:

"That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to construct a viaduct and approaches to eliminate the present crossing at grade of Michigan Avenue and the tracks and right of way of the Baltimore & Ohio Railroad Co., said viaduct to be constructed north of the present line of Michigan Avenue as may be determined by the Commissioners of the District of Columbia in accordance with plans and profiles of said works to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing the said viaduct and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company.

SEC. 2. That no street railway company shall use the said viaduct or any approaches thereto herein authorized for its tracks until the said company shall have paid to the collector of taxes of the District of Columbia a sum equal to one-fourth of the cost of said viaduct and approaches, which sum shall be deposited to the credit of the District of Columbia.

SEC. 3. That for the purpose of carrying into effect the foregoing provisions the sum of \$500,000 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia; and the said commissioners are authorized to expend such sum as may be necessary for personal services, engineering, and incidental expenses, including the cost of relocating sewers and water mains. The said commissioners are further authorized to acquire, out of the appropriation herein authorized, the necessary land to carry out the provisions of this act, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation in accordance with chapter 15 of the Code of Law of the District of Columbia, as amended.

SEC. 4. That from and after the completion of the said viaduct and approaches the highway grade crossing over the tracks and right of way of the said Baltimore & Ohio Railroad Co. at Michigan Avenue shall be forever closed against further traffic of any kind.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OIL AND GAS PROSPECTING PERMITS AND LEASES

The bill (S. 317) to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 8, to strike out the words "northeast quarter and north half of southwest quarter of section 5, the east half of northeast quarter and northeast quarter and southeast quarter of section 6, the southwest quarter of northeast quarter, south half of northwest quarter, and southeast quarter of section 29, be," and on page 2, line 4, to strike out the words "north half" and insert "northwest quarter," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to grant either prospecting permits or leases under the terms and conditions of section 19 of the act approved February 25, 1920 (41 Stat. L. 437, title 30, sec. 227, U. S. C.), to any claimant of title under the placer mining laws, to the southeast quarter of section 30, the east half of section 31, and the northwest quarter and southeast quarter of section 32, in township 51 north, range 100 west of the sixth principal meridian, in the State of Wyoming: *Provided*, That satisfactory evidence be submitted of entire good faith of such claimant under the mining laws, although without such evidence of discovery as to satisfy said Secretary of the claimant's right to a patent; also, that said lands were not reserved or withdrawn at date of initiation of mining claims thereto; also, that applications for such permits or leases be filed within six months from date of this enactment, and that at date of such filing the area covered thereby be free from any valid adverse claim of any third person.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRADE CROSSINGS OF STEAM RAILROADS IN DISTRICT OF COLUMBIA

The bill (S. 4223) to amend the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927, was considered as in Committee of the Whole. The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 9, after the word "thereto," to strike out "to carry Fern Street in the District of Columbia under the tracks and right of way of the Baltimore & Ohio Railroad Co., in accordance with plans and profiles of said subway and approaches to be approved by the Commissioners of the District of Columbia" and insert "under the tracks and right of way of the Baltimore & Ohio Railroad Co. in the vicinity of the intersection of Fern Place and Piney Branch Road, extended, in the District of Columbia on a line to be determined by the Commissioners of the District of Columbia and in accordance with plans and profiles of said subway and approaches to be approved by the said commissioners."

Mr. BINGHAM. Mr. President, the Senator from Maryland [Mr. TYDINGS] was going to offer an amendment to the bill. In his absence I will offer the amendment. On page 2, line 6, after the words "in the vicinity of," in the amendment of the committee, I move to insert the words "Chestnut Street or of," so it would read:

under the tracks and right of way of the Baltimore & Ohio Railroad Co. in the vicinity of Chestnut Street or of the intersection of Fern Street—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Connecticut to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on the District of Columbia was, on page 2, line 12, after the word "subway," to strike out "and approaches thereto" and to insert "and thereafter the cost of maintaining the structure within the limits of its right of way"; in line 18, to strike out "said half of cost" and insert the word "same"; and on page 3, line 17, after the word "approaches," to strike out "to carry Fern Street in the District of Columbia under the tracks and right of way of the

Baltimore & Ohio Railroad Co."; and in line 21, to strike out the words "railroad company," and to insert "Baltimore & Ohio Railroad Company," so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927, be, and it is hereby, amended to read as follows:

"That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to construct a subway and approaches thereto under the tracks and right of way of the Baltimore & Ohio Railroad Co. in the vicinity of Chestnut Street or of the intersection of Fern Place and Piney Branch Road, extended, in the District of Columbia on a line to be determined by the Commissioners of the District of Columbia and in accordance with plans and profiles of said subway and approaches to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing said subway and thereafter the cost of maintaining the structure within the limits of its right of way shall be borne and paid by the said Baltimore & Ohio Railroad Co., its successors and assigns, to the collector of taxes of the District of Columbia for deposit to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company, and shall constitute a legal indebtedness against the said railroad company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other legal proceeding against the said railroad company.

"SEC. 2. That for the purpose of carrying into effect the foregoing provisions the sum of \$250,000 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia; and the said commissioners are authorized to expend such sum as may be necessary for personal services, engineering, and incidental expenses, including the cost of relocating sewers and water mains. The said commissioners are further authorized to acquire, out of the appropriation herein authorized, the necessary land to carry out the provisions of this act, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation in accordance with chapter 15 of the Code of Law of the District of Columbia, as amended.

"SEC. 3. That from and after the completion of the said subway and approaches the highway grade crossing over the tracks and right of way of the said Baltimore & Ohio Railroad Co. at Chestnut Street shall be forever closed against further traffic of any kind."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAY OF MAIL CARRIERS IN VILLAGE DELIVERY SERVICE

The bill (S. 543) to increase the pay of mail carriers in the village delivery service, was considered as in Committee of the Whole. The bill had been reported from the Committee on Post Offices and Post Roads with amendments, on page 1, line 11, to strike out "\$1,350" and insert "\$1,250," and on page 2, line 1, to strike out "\$1,750" and insert "\$1,550," so as to make the bill read:

Be it enacted, etc., That section 10 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, as amended, is amended to read as follows:

"SEC. 10. That the pay of carriers in the village delivery service, under such rules and regulations as the Postmaster General may prescribe, shall be from \$1,250 to \$1,550 per annum. The pay of substitute letter carriers in the village delivery service shall be at the rate of 60 cents per hour."

SEC. 2. This act shall take effect on the date of its approval.

The amendments were agreed to.

Mr. FESS. Mr. President, will the Senator from Colorado [Mr. PHIPPS] explain just what change this makes?

Mr. PHIPPS. Under the present law the pay of village carriers ranges from \$1,150 to \$1,350, whereas the pay of the city delivery carriers ranges from \$1,750 to \$2,150 a year. The duties are virtually the same. The hours of labor are the same. The village delivery service is limited to communities of at least 1,500 inhabitants and where the postal receipts exceed \$5,000. The time of the village carriers is taken up, in addition to their duties delivering mail around the streets and roads, by working in the office assisting the postmaster.

Mr. FESS. I have no objection.

Mr. PHIPPS. This is a very moderate increase. They have had no increase for a long time.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

POSTAL REVENUE DEFICIENCIES

The bill (S. 3599) to provide for the classification of extraordinary expenditures contributing to the deficiency of postal revenues was considered as in Committee of the Whole.

Mr. FESS. Mr. President, will the Senator from Colorado explain the bill?

Mr. PHIPPS. Mr. President, it is merely setting up a method of bookkeeping through which we will be able to determine what the Post Office Department has actually earned and the resulting deficit in operation. There is no appropriation of money. The Post Office Department will be given credit for actual services performed in handling free mail. It was given careful consideration by the committee.

Mr. FESS. I have no objection.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Postmaster General shall certify to the Secretary of the Treasury and to the Comptroller General of the United States, respectively, as soon as practicable after the end of each fiscal year, the following:

(a) The estimated amount which would have been collected at regular rates of postage on matter mailed during the year by officers of the Government (other than those of the Post Office Department) under the penalty privilege, including registry fees;

(b) The estimated amount which would have been collected at regular rates of postage on matter mailed during the year by (1) Members of Congress and (2) others under the franking privilege;

(c) The estimated amount which would have been collected during the year at regular rates of postage on publications going free in the country;

(d) The estimated excess during the year of the cost of aircraft service over the postage revenues derived from air mail; and

(e) The estimated amount paid during the year to vessels of American registry for carrying the ocean mail at mileage rates in excess of what would have been paid at pound rates.

And the amounts so certified shall be separately classified on the books of the Treasury Department and the General Accounting Office, respectively, in stating the expenditures made from the appropriation to supply the deficiency of postal revenues.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITION OF LANDS TO ZION NATIONAL PARK, UTAH

The bill (S. 4169) to add certain lands to the Zion National Park in the State of Utah, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That sections 7, 17, 18, 19, 20, 29, 30, 31, and 32, township 41 south, range 9 west; unsurveyed sections 5, 6, 7, 8, 17, and 18, township 42 south, range 9 west; unsurveyed sections 5, 6, 7, and 8, township 42 south, range 9½ west; unsurveyed sections 1, 2, and the north half and southeast quarter section 3; northeast quarter section 4, east half section 10, sections 11 and 12, township 42 south, range 10 west; all of section 21, southwest quarter section 22, northwest quarter section 27, southeast quarter unsurveyed section 28; east half unsurveyed section 33, township 41 south, range 10 west; and all of sections 34, 35, and 36, township 41 south, range 11 west, all with reference to the Salt Lake meridian, be, and the same are hereby, added to and made a part of the Zion National Park in the State of Utah, subject to all laws and regulations applicable to and governing said park.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL LANDS FOR BRYCE CANYON NATIONAL PARK, UTAH

The bill (S. 4170) to provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That for the purpose of preserving in their natural state the outstanding scenic features to the south and west of Bryce Canyon National Park, the President of the United States be, and he is hereby, authorized, upon the joint recommendation of the Secretaries of Interior and of Agriculture, to add to the Bryce Canyon National Park, in the State of Utah, by Executive proclamation, any or all of unsurveyed townships 37 and 38 south, range 4 west, Salt Lake meridian, not now included in said park, and all the lands added to

said park pursuant hereto shall be, and are hereby, made subject to all laws, rules, and regulations applicable to and in force in the Bryce Canyon National Park.

SEC. 2. That the provisions of the act of June 10, 1920, known as the Federal water power act, shall not apply to lands now included in the Bryce Canyon National Park nor to any lands added to said park under the authority of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIXTH PAN AMERICAN CHILD CONGRESS

The joint resolution (H. J. Res. 270) authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress to be held at Lima, Peru, July, 1930, was considered as in Committee of the Whole. The joint resolution had been reported from the Committee on Foreign Relations with an amendment, on page 1, line 9, after the word "subsistence," to insert the words "notwithstanding the provisions of any other act," so as to make the joint resolution read:

Resolved, etc., That for the purpose of defraying the expenses of participation by the Government of the United States by means of delegates to be appointed by the President in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930, an appropriation in the sum of \$13,000, or so much thereof as may be necessary, is hereby authorized for travel expenses, subsistence, or per diem in lieu of subsistence, notwithstanding the provisions of any other act, printing and binding, compensation of employees, rent, official cards, preparation, transportation, installation, and demonstration of a suitable exhibit, and such other expenses as the President may deem proper.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

ST. FRANCIS RIVER BRIDGE, CRAIGHEAD COUNTY, ARK.

The bill (S. 4196) to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the St. Louis Southwestern Railway Co., a corporation organized and existing under the laws of the State of Missouri, be, and it is hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the St. Francis River at a point suitable to the interests of navigation in section 13, township 13 north, range 6 east, of the fifth principal meridian, in Craighead County, Ark., on a line of railway between Caraway, Ark., and Trumann, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEMURRAGE CHARGES ON UNDELIVERED C. O. D. PARCELS

The bill (H. R. 1234) to authorize the Postmaster General to impose demurrage charges on undelivered collect-on-delivery parcels was considered as in Committee of the Whole. The bill had been reported from the Committee on Post Offices and Post Roads with an amendment, on page 1, line 10, to strike out "10" and insert "5," so as to make the bill read:

Be it enacted, etc., That under such regulations as the Postmaster General may prescribe any collect-on-delivery parcel which the addressee fails to remove from the post office within 15 days from the first attempt to deliver or the first notice of arrival at the office of address may be returned to the sender, charged with the return postage, whether or not such parcel bears any specified time limit for delivery; and a demurrage charge of not exceeding 5 cents per day may be collected when delivery has not been made to either the addressee or the sender until after the expiration of the prescribed period.

The amendment was agreed to.

Mr. PHIPPS. Mr. President, I notice a typographical error in the spelling of the word "exceeding" on page 1, line 10.

The PRESIDING OFFICER. The Chair will say that it is a clerical error to which the Senator from Colorado calls attention, and it will be corrected; it is not necessary to offer an amendment for that purpose.

Mr. FESS. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Ohio?

Mr. PHIPPS. I yield.

Mr. FESS. I have had some correspondence relative to this measure.

Mr. PHIPPS. So have I, and I may say it has been very voluminous. I think we have met the situation after a very careful study in a manner that should be acceptable.

It seems to have become the practice of a great many concerns, tailoring establishments, shirt makers, underwear manufacturers, and others, to ship packages C. O. D. in fulfillment of orders. Such packages may arrive two or three days after pay day when the addressee does not happen to have the money with which to make the payment, and consequently the package lies in the post office for another month.

The amount which it is proposed to charge under this bill is less than the same charge for demurrage imposed by express companies; they charge 50 cents a month right along; but under this bill regulations will be provided under which the shippers will be notified when the first attempt at delivery has been made that the package has been tendered but failed of delivery, and that unless disposition is made within 15 days demurrage charges on the package at the rate of 15 cents a day will be imposed. So it will be up to the consignor to determine what is to be done with the package. As it is now, we are making a warehouse out of every post office.

Mr. FESS. I think the Senator's statement is a complete answer to the objections which we have been receiving through the mail, and I have no objection to the passage of the bill.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. That completes the call of the calendar under the unanimous-consent agreement.

IMMIGRATION AND UNEMPLOYMENT

Mr. HARRIS. Mr. President, I ask unanimous consent to have published in the RECORD an editorial appearing in the Saturday Evening Post of April 19, 1930, entitled "Immigration and Unemployment."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Saturday Evening Post, April 19, 1930]

IMMIGRATION AND UNEMPLOYMENT

More than once attention has been directed in these columns to the studies and findings of the California Joint Immigration Committee. This influential body is composed of representatives of the State organizations of the American Legion, the American Federation of Labor, and the Native Sons. Its investigations appear to have been made with considerable care, and its recommendations are a fair cross section of enlightened public opinion. As such, they are worthy of serious consideration in legislative quarters.

In a letter addressed to the House Committee on Immigration, the California body asks some pointed questions: "Can the mass of unemployed in the United States be cared for either by speeding up production, or by the inauguration of the dole system, or of the six-hour day and the five-day week in industry, while 450,000 or more aliens are permitted to enter for permanent residence every year, most of them compelled to accept employment on any terms? What will be the result to living standards and to the well-paid American workman who has made national prosperity?"

It would be hard to find sound reasons for the smallest doubt that Congress should do two things: First, make an unprecedented effort to enforce the present immigration act by allowing appropriations sufficient to bar out or ship out the 150,000 aliens who enter the country unlawfully each year; and, second, to scale down by progressive stages the number admitted in accordance with law. These are imperative necessities, and the sooner Congress recognizes them as such the better off the country will be and the surer American workmen will be in their jobs.

Every period of widespread unemployment, such as the one from which we are now gradually emerging, rings with new testimony of our shortsightedness in permitting the land to be inundated by hordes of newcomers to compete with our own people in a labor market already glutted. In one respect, the situation is going from bad to worse in consequence of the increasing mechanization of industry. Machinery, in bewildering array, now does the rough outdoor work, whether in building, excavation, tunneling, agriculture, mining, steel making, or the construction and improvement of highways and railroads. Every year the catalogues of the machinery houses blossom out with new and ingenious contrivances to do away with man power and to get the job done more quickly and more cheaply. More and more we depend upon

steam, electricity, gasoline, and compressed air, less and less upon human brawn. This means that large categories of unskilled labor are virtually wiped off the slate. No sound immigration policy can ignore this change of economic conditions. Organized labor has been somewhat slow to see upon which side its bread is buttered, but every recurrence of industrial depression has helped to teach it that there is a direct connection between lax immigration policies and light dinner pails. Once the lesson has been fully learned, we shall not be surprised to see both our lawful and our unlawful immigration reduced to a tithe of their present volume.

When the great body of taxpayers realize what it is costing them for the upkeep of courts, jails, asylums, and other State institutions to care for our alien criminals, defectives, and diseased persons, such a clamor will be raised that Congress will be forced to appropriate adequate sums for the deportation of the alien classes which constitute this heavy burden. Possibly our situation will become worse before it gets better, but once conditions are clearly understood, it will be taken in hand with characteristic vigor.

REJECTION OF NOMINATION OF JUDGE JOHN J. PARKER

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the New York World of to-day relative to the rejection of the nomination of Judge John J. Parker as a justice of the Supreme Court.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York World, Thursday, May 8, 1930]

CHAPTER 2

The vote by which the Senate refused to confirm the nomination of Judge Parker as justice of the Supreme Court is unmistakably chapter 2 in the struggle that was waged against the confirmation of Mr. Hughes. It is, in other words, a victory of the progressive Republicans and Democrats on the issue of liberalizing the Supreme Court. Contrary to the popular impression that the main inspiration of the attack on the appointment came from negro organizations, the record discloses that in the actual voting the race issue won more votes for Judge Parker than it turned against him.

Of the 17 Republicans who voted against confirmation, not more than two or three can be considered as having voted on the negro issue. The other 14 or 15 are recognized progressive Republicans, regular members of the Republican wing of the coalition. On the other hand, among the southern Democrats the nomination was supported by nine Senators, of whom five at least voted against Mr. Hughes. Can there be any doubt that a southern Democrat who votes not to confirm Mr. Hughes and then votes to confirm Judge Parker is influenced primarily by purely sectional considerations?

The vote shows that the race issue played no decisive part in the result. It affected the result both ways about equally. The vote shows that the attempt to align the South as a matter of sectional pride failed. Of the Senators voting in 12 Southern States, nine voted for confirmation and nine against. This disposes of the idea that the South itself regarded the confirmation of Judge Parker as a matter of vital interest of itself.

The real reason for the rejection of the nomination is that Mr. Hoover ignored the hurricane warning raised at the time of the explosion over the nomination of Mr. Hughes. Instead of then selecting a man of outstanding ability and of liberal philosophy, he chose a man of mediocre ability and of conservative philosophy. Mr. Hughes was confirmed after a severe conflict because, in spite of his conservatism, there was universal recognition of his preeminent ability. Judge Parker has failed because he lacked the positive qualifications which carried Mr. Hughes across.

Mr. Hoover has suffered a severe defeat. It is our opinion that the defeat was amply deserved because of his reckless failure to understand the extraordinary significance of the Hughes episode. It is to be hoped, for his own sake and for the sake of the court and for the sake of the country, that this time he will take the lesson to heart. He must find a man of real distinction and of liberal philosophy. Such a man, whether he comes from the North or the South, will be heartily confirmed. If he can find such a man in the South it would be particularly gratifying. There is every reason why the geographical balance of the court should be improved. But in looking for a southerner Mr. Hoover should purge his mind of the notion that there is any profit for him or any service to the country in trying to find a man who will help build up the Republican Party in the South. It is Mr. Hoover's business to build up not the Republican Party in the South but the authority and competence of the Supreme Court of the United States. The first consideration is outstanding ability. The second consideration is a liberal view of the Constitution. The third consideration is geography.

AMENDMENT OF FEDERAL RESERVE ACT

Mr. JONES obtained the floor.

Mr. WALCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Connecticut?

Mr. JONES. I yield.

Mr. WALCOTT. Mr. President, on yesterday, during the call of the calendar, when Order of Business No. 512, being the bill (S. 4096) to amend section 4 of the Federal reserve act was reached, it was passed over. I should like to have that bill considered at this time.

Mr. JONES. Mr. President, if the consideration of the bill will require no discussion, I will not object; otherwise I should like to proceed with the Army appropriation bill, which I think will not take very long.

Mr. WALCOTT. The bill went over merely because of a desire to secure an explanation as to one word in it. I had to refer the matter to Governor Young, of the Federal Reserve Board, for further information. I have now received that information.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LA FOLLETTE. Mr. President, I think that is a rather important bill, and I do not think it should be considered under a situation where there can be no debate upon it. I object to recurring to it.

The VICE PRESIDENT. Objection is made.

ARMY APPROPRIATIONS

Mr. JONES. I move that the Senate proceed to the consideration of the House bill 7955, being the Army appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Washington.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7955) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES. I ask that the formal reading of the bill may be dispensed with, and that the bill be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The first amendment of the Committee on Appropriations will be stated.

The first amendment of the Committee on Appropriations was, under the heading "General Staff Corps, contingencies, Military Intelligence Division," on page 8, line 9, after the word "information," to strike out "\$62,480" and insert "\$57,480," so as to read:

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for cost of maintenance of students and attachés; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$57,480, to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Army War College," on page 8, line 24, after the word "expenses," to strike out "\$82,020" and insert "\$80,760," so as to read:

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lecturers; for the pay of employees; and for all other absolutely necessary expenses, \$80,760.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps," on page 16, line 3, after the words "in all," to strike out "\$24,675,258" and insert "\$24,669,783," so as to make the paragraph read:

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; hot coffee for troops travelling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty,

and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men when stationed at places where rations in kind can not be economically issued, including retired enlisted men when ordered to active duty and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in department and Army rifle competitions when traveling to and from places of contest, applicants for enlistment, and general prisoners while traveling under orders. For payment of the regulation allowances of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army, in all, \$24,669,783.

The amendment was agreed to.

The next amendment was, in the item for incidental expenses of the Army, on page 20, line 7, after the word "for," to strike out "lecture fees at the Army Music School and," and in line 11, after the word "department," to strike out "\$3,904,738" and insert "\$3,928,738," so as to read:

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States disciplinary barracks, and incidental expenses of recruiting; for the operation of coffee-roasting plants; for payment of entrance fees for Army rifle and pistol teams participating in competitions; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other department, \$3,928,738.

The amendment was agreed to.

The next amendment was, on page 22, line 5, after the words "in all," to strike out "\$15,000,000" and insert "\$14,975,000," so as to make the paragraph read:

Army transportation: For transportation of the Army and its supplies, including retired enlisted men when ordered to active duty; of authorized baggage, including that of retired officers, warrant officers, and enlisted men when ordered to active duty and upon relief therefrom, and including packing and crating; of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; of necessary agents and other employees, including their traveling expenses; of dependents of officers and enlisted men as provided by law; of discharged prisoners, and persons discharged from St. Elizabeths Hospital after transfer thereto from the military service, to their homes (or elsewhere as they may elect): *Provided*, That the cost in each case shall not be greater than to the place of last enlistment; of horse equipment; and of funds for the Army; for the purchase or construction, not exceeding \$100,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriages; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for purchase and hire of draft and pack animals, including replacement of unserviceable animals; for travel allowances to officers and enlisted men on discharge; to officers of National Guard on discharge from Federal service as prescribed in the act of March 2, 1901 (U. S. C., title 10, sec. 751); to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory act of September 22, 1922 (U. S. C., title 10, sec. 752); and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, \$14,975,000, of which amount not exceeding \$250,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1931.

The amendment was agreed to.

The next amendment was, on page 22, line 23, after the word "at," to strike out "\$2,000" and insert "\$2,500," and in line 24, after the word "at," to strike out "\$1,500" and insert "\$1,200," so as to read:

None of the funds appropriated in this act, unless expressly made available for the purpose, shall be used for the purchase or exchange of

motor-propelled freight-carrying or passenger-carrying vehicles for the Army, except those that are purchased solely for experimental purposes, in excess of the following quantities and costs per vehicle, including the value of a vehicle exchanged: Thirty ambulances at \$3,500 each, 40 passenger-carrying vehicles at \$2,500 each, 150 such vehicles at \$1,200 each, and 150 solo motor cycles at \$300 each, 9 truck chassis at \$7,200 each, 10 truck chassis at \$4,325 each, 57 truck chassis at \$2,800 each.

The amendment was agreed to.

The next amendment was, under the subhead "Military posts," on page 24, line 1, after the word "thereto," to strike out "including interior facilities, necessary service connections to water, sewer, gas, and electric mains, sidewalks, driveways, grading and seeding lawns, and similar improvements, all within the authorized limits of cost of such buildings," and in line 17, after the figures "\$16,062,860," to insert "of which \$125,000 shall be available toward construction of barracks and quarters at Scott Field, Ill., as a heavier as well as a lighter than air field, and," so as to read:

For construction and installation at military posts, including the United States Military Academy, of buildings, utilities, and appurtenances thereto, as authorized by the acts approved February 18, 1928 (45 Stat. 129), March 10, 1928 (45 Stat. 300), February 23, 1929 (45 Stat. 1258), February 25, 1929 (45 Stat. 1301), and March 1, 1929 (45 Stat. 1425), without reference to sections 1136 and 3734, Revised Statutes (U. S. C., title 10, sec. 1339; title 40, secs. 259, 267), including also the engagement, by contract or otherwise, of the services of architects, or firms, or partnerships thereof, and other technical and professional personnel as may be deemed necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States, \$16,062,860, of which \$125,000 shall be available toward construction of barracks and quarters at Scott Field, Ill., as a heavier as well as a lighter than air field, and of which not to exceed \$3,000,000 shall be available for the payment of obligations incurred under the contract authorizations for these purposes carried in the War Department appropriation act for the fiscal year 1930 and of which the sum of \$230,400 shall be available immediately for the construction of a sea wall at Selfridge Field, Mich.

The amendment was agreed to.

The next amendment was, on page 25, line 6, after the name "Treasury," to strike out the colon and the following additional proviso: "Provided further, That in addition to the appropriation herein made the Secretary of War is authorized to enter into contracts for the construction of all the projects embraced by the Budget for the fiscal year 1931 under this head at the Army Medical School, Washington, D. C., and in Porto Rico, to cost, in the aggregate, not to exceed \$750,000 at each of such places, and, further, to enter into contracts or to incur obligations for the construction at West Point, N. Y., of the buildings embraced by such Budget and at the maximum costs as follows: Completion of cadet barracks, \$225,000; noncommissioned officers' quarters, \$165,000; officers' quarters, \$507,000," and to insert "Provided further, That the Secretary of War is authorized to enter into contracts for the purposes specified in the foregoing acts, to an amount not to exceed \$2,951,000, in addition to the appropriation herein made."

The amendment was agreed to.

The next amendment was, under the heading "Barracks and quarters and other buildings and utilities," on page 26, line 14, after the word "sewage," to strike out "\$11,000,000" and insert "\$11,152,060," so as to read:

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property (where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings and grounds for military purposes and lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, and disposal of sewage, \$11,152,060.

The amendment was agreed to.

The next amendment was, on page 26, line 25, after the figures "1931," to strike out the colon and the following additional provisos: "Provided further, That no part of the funds herein appropriated shall be available for construction of a permanent nature of additional buildings or extensions or additions to existing buildings: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15."

The amendment was agreed to.

The next amendment was, under the subhead "Construction and repair of hospitals," on page 29, line 5, after the figures "\$578,880," to strike out the colon and "Provided, That no part of this appropriation shall be used for the construction of hospitals or extensions or additions to existing hospitals."

The amendment was agreed to.

The next amendment was, under the subhead "Seacoast defenses," on page 30, line 1, before the word "test," to strike out "experimental" and insert "experimental," so as to read:

For all expenses properly pertaining to the respective branches below stated as may be incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, maintenance of channels to submarine mine wharves, purchase of lands and rights of way as authorized by law, and experimental, test, and development work, as follows:

United States: Signal Corps, \$115,660.

Corps of Engineers, \$421,550.

Ordnance Department, \$301,670.

Chief of Coast Artillery, \$186,495.

Insular departments: Signal Corps, \$103,031.

Corps of Engineers, \$220,000.

Ordnance Department, \$302,919.

Chief of Coast Artillery, \$226,575.

Panama Canal: Signal Corps, \$43,012.

Corps of Engineers, \$359,000.

Ordnance Department, \$154,488.

Chief of Coast Artillery, \$252,819.

In all, \$2,687,219.

The amendment was agreed to.

The next amendment was, under the heading "Signal Corps," on page 32, line 13, after the word "required," to strike out "\$3,010,000" and insert "\$3,103,378," so as to read:

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire-control and direction apparatus and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$3,103,378.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer equipment for troops," on page 40, at the end of line 24, to strike out "\$268,970" and insert "\$263,970," so as to read:

For pontoon material, tools, instruments, supplies, and appliances required for use in the engineer equipment of troops, for military surveys, and for engineer operations in the field, including the purchase, maintenance, operation, and repair of the necessary motor cycles; the purchase and preparation of engineer manuals and for a reserve supply of above equipment, \$263,970.

The amendment was agreed to.

The next amendment was, under the heading "Ordnance Department, ordnance service and supplies, Army," on page 43, at the end of line 8, to strike out "\$9,719,161" and insert "\$9,479,306," so as to make the paragraph read:

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments, and institutions to which the issue of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals which may be paid for in advance; for the services of not more than four consulting engineers, as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding 50 days each and necessary traveling expenses, \$9,479,306.

The amendment was agreed to.

The next amendment was, under the subhead "Tank service," on page 46, line 22, to reduce the appropriation for incidental expenses in connection with the operation of the tank schools, from \$1,870 to \$1,300.

The amendment was agreed to.

The next amendment was, under the heading "Militia Bureau—National Guard—Arming, equipping, and training the National Guard," on page 51, line 22, to increase the appropriation for pay of property and disbursing officers for the United States from \$79,500 to \$122,200.

The amendment was agreed to.

The next amendment was, under the subhead "Organized Reserves," on page 55, line 25, after the word "months," to strike out the semicolon and "for medical and hospital treatment, as provided by law" and insert "for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as contemplated by the act of April 26, 1928 (45 Stat. 461, ch. 436), and for such other purposes in connection therewith as are authorized by the said act, including pay and allowances, subsistence, transportation, and burial expenses," and in line 9, after the figures "\$6,542,362," to strike out "and no part of such sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps who shall be found by such agency as the Secretary of War may designate not qualified to perform combat service as an aviation pilot" and insert "and no part of such total sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate," so as to read:

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for 15 days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation; purchase of training manuals, including Government publications and blank forms; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of 30 such vehicles (at a cost not exceeding \$625 each, including the value of a vehicle exchanged); for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves; for expenses incident to the use, including upkeep and depreciation costs of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed \$613,012 of this appropriation shall be available for expenditure by the Chief of the Air Corps

for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers on active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps who suffer personal injury or contract disease in line of duty, as contemplated by the act of April 26, 1928 (45 Stat. 461, ch. 436), and for such other purposes in connection therewith as are authorized by the said act, including pay and allowances, subsistence, transportation, and burial expenses, in all, \$6,542,362, and no part of such total sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot by such agency as the Secretary of War may designate.

The amendment was agreed to.

The next amendment was, under the heading "Citizens' military training—Reserve Officers' Training Corps," on page 60, line 7, after the word "officers," to insert "and warrant officers"; in line 8, after the name "Regular Army," to insert "ordered to duty with, relieved from duty with, or"; in line 13, after the word "officers," to insert "and warrant officers"; in line 14, after the word "duty" where it occurs the first time, to strike out "with" and insert "with,"; in the same line, after the word "duty" where it occurs the second time, to strike out "with" and insert "with,"; in line 15, after the word "educational," to strike out "institutions," and insert "institutions; for transportation of"; in line 17, after the word "duty" where it occurs the first time, to strike out "with" and insert "with,"; in line 18, before the word "Reserve," to strike out "with" and insert "with,"; and in line 20, after the word "stations," to insert a semicolon and "and for transportation of dependents, baggage, and household effects, including packing and crating, of enlisted men ordered to duty with, and relieved from duty with, Reserve Officers' Training Corps units, as authorized by law," so as to read:

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act approved June 3, 1916, as amended by the act approved June 4, 1920 (U. S. C., title 10, sec. 387); for medical and hospital treatment until return to their homes and further medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a of the national defense act approved June 3, 1916, as amended (U. S. C., title 10, sec. 441); and for the cost of preparation and transportation to their homes and burial expenses of the remains of members of the Reserve Officers' Training Corps who die while attending camps of instruction as provided in section 4 of the act approved June 3, 1924 (U. S. C., title 10, sec. 455); for mileage, reimbursement of traveling expenses, or per diem allowance in lieu thereof as authorized by law, for officers and warrant officers of the Regular Army ordered to duty with, relieved from duty with, or traveling on duty in connection with Reserve Officers' Training Corps units at educational institutions and Reserve Officers' Training Corps training camps; for transportation of dependents, baggage, and house-

hold effects, including packing and crating, of officers and warrant officers ordered to duty with, and relieved from duty with, Reserve Officers' Training Corps units at educational institutions; for transportation of enlisted men of the Regular Army ordered to duty with, and relieved from duty with, Reserve Officers' Training Corps units and to duty with Reserve Officers' Training Corps training camps and return to stations; and for transportation of dependents, baggage, and household effects, including packing and crating, of enlisted men ordered to duty with, and relieved from duty with, Reserve Officers' Training Corps units, as authorized by law; and for the cost of maintenance, repair, and operation of passenger-carrying vehicles, \$4,000,000, of which \$547,849 shall be available immediately:

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' military training camps," on page 63, line 22, after the words "in all," to strike out "\$2,814,772" and insert "\$2,884,772," so as to read:

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the national defense act of June 3, 1916, as amended by the act of June 4, 1920 (U. S. C., title 10, sec. 442), uniforms, including altering, fitting, washing and cleaning when necessary, subsistence, and transportation, or in lieu of such transportation and of subsistence for travel to and from camps, travel allowances at 5 cents per mile, as prescribed in said section 47d; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding \$20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment until return to their homes, further medical treatment after arrival at their homes, subsistence during hospitalization, and, when fit for travel, travel allowances at 5 cents per mile to their homes of members of the citizens' military training camps injured in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a and section 47d of the national defense act approved June 3, 1916 (U. S. C., title 10, secs. 441, 442), as amended, and for the cost of preparation and transportation to their homes and burial expenses of the remains of civilians who die while attending camps of instruction as provided in section 4 of the act approved June 3, 1924 (U. S. C., title 10, sec. 455); in all, \$2,884,772.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps—Cemeterial expenses," on page 70, line 4, after the word "Arts," to strike out the colon and the following proviso:

Provided, That all available funds for the restoration of Lee mansion may be obligated without advertising when, in the opinion of the Quartermaster General, it is advantageous to the Government to dispense with advertising.

The amendment was agreed to.

The next amendment was, under the subhead "Fredericksburg and Spotsylvania County Battle Fields Memorial," on page 71, after line 6, to strike out:

The unobligated balances of the appropriations previously made under this head are continued available until June 30, 1931, for the same objects specified in such appropriations.

And in lieu thereof to insert:

For continuing the establishment of a national military park to be known as the Fredericksburg and Spotsylvania County Battle Fields Memorial, in accordance with the provisions of the act approved February 14, 1927 (U. S. C., Supp. III, title 16, sec. 425-425J), including the maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle, \$50,000, and the unobligated balances of the appropriations previously made for above-named purposes are continued available until June 30, 1931.

The amendment was agreed to.

The next amendment was, under the subhead "Shiloh National Military Park," on page 73, after line 19, to insert:

Toward resurfacing with concrete the road situated in the Shiloh National Military Park and extending from the original boundaries of the park to the Corinth National Cemetery, such sum to be expended under the direction of the Secretary of War, \$100,000, said resurfacing to be completed within a limit of cost of \$306,000.

The amendment was agreed to.

The next amendment was, under the subhead "National monuments," on page 75, line 16, before the word "the," to strike out "Toward" and insert "To complete"; in line 22, after the word "employees," to strike out "\$7,500" and insert "\$232,500," and in line 23, after the word "until," to strike out "expended," so as to read:

Monument on Kill Devil Hill, Kitty Hawk, N. C.: To complete the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful human attempt in history of power-driven airplane flight, in accordance with the provisions of the act approved March 2, 1927 (44 Stat. 1264), including mileage to officers and traveling expenses of civilian employees, \$232,500, to be available immediately and to remain available until June 30, 1932.

The amendment was agreed to.

The next amendment was, on page 77, after line 2, to insert:

Old Fort Niagara, N. Y.: For the repair, restoration, and rehabilitation of the French gateway, head house, the French and early American battery emplacements and gun mounts, the old French chapel, and early American hot-shot oven, and including the repair and building of roadways and the improvement of grounds, and the completion of the building and/or restoration and rehabilitation of rest room at Old Fort Niagara, N. Y., \$25,000, to be expended only when matched by an equal amount by donation from local interests for the same purpose, such equal amount to be expended by the Secretary of War: *Provided*, That all work of repair, restoration, rehabilitation, construction, and maintenance shall be carried out by the Secretary of War in accordance with plans prepared and submitted by the Old Fort Niagara Association (Inc.), of New York State, and approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Corps of Engineers," on page 78, after line 20, to strike out:

BIRTHPLACE OF GEORGE WASHINGTON, WAKEFIELD, VA.

For maintenance, care, and improvement of reservation and monument, \$2,500.

The amendment was agreed to.

The next amendment was, under the heading "National Home for Disabled Volunteer Soldiers," on page 87, line 23, to reduce the appropriation for repairs at the Bath Branch, National Home for Disabled Volunteer Soldiers, at Bath, N. Y., from \$125,000 to \$80,000.

The amendment was agreed to.

The next amendment was, on page 87, at the end of line 25, to reduce the total appropriation for the Bath Branch of the National Home for Disabled Volunteer Soldiers, at Bath, N. Y., from \$636,000 to \$591,000.

The amendment was agreed to.

The next amendment was, on page 89, line 8, to reduce the total appropriation for the National Home for Disabled Volunteer Soldiers from \$10,675,220 to \$10,630,220.

The amendment was agreed to.

The next amendment was, under the heading "The Panama Canal," on page 90, line 6, after the word "exceeding," to strike out "\$1,500" and insert "\$1,000," so as to read:

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding \$1,000, etc.

The amendment was agreed to.

Mr. JONES. Mr. President, on page 67, line 7, after the name "Hanberry," I move to insert an amendment which is designed merely to correct the name of an individual.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 57, in line 7, after the name "Hanberry," it is proposed to insert:

and John H. Andrus in lieu of James A. Andrus, and the "First deficiency act, fiscal year 1930," approved March 26, 1930, is hereby amended so as to read "including John H. Andrus in lieu of James A. Andrus."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JONES. I offer another amendment on behalf of the committee.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 70, line 8, after the word "advertising," it is proposed to insert the following:

Provided, That all available funds for the procurement of articles of furniture, equipment, and furnishings, or replicas thereof, required to restore the appearance of the interior of the mansion to the condition

of its occupancy prior to the Civil War may be obligated without advertising when in the opinion of the Quartermaster General it is advantageous to the Government to dispense with advertising.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HARRIS. I offer an amendment to come in on page 30. I will state, Mr. President, that the amendment is recommended by the Bureau of the Budget and by the department. I am sure there will be no opposition to it on the part of the chairman of the committee.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 30, line 4, it is proposed to strike out "\$421,550" and insert "\$506,550, of which \$85,000 shall be immediately available for construction of shore protection works at Fort Screven, Ga., to prevent erosion of the shore line," and on the same page, in line 15, to correct the total, so as to read "\$2,772,219."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, since this bill was reported two amendments have been brought to my attention with a request that they be offered. In discussing the matter with the chairman of the committee I am advised that he will make points of order against the consideration of the amendments, or, at least, against one of them. As one of the amendments is subject to a point of order I will refrain from offering it, but I shall offer the other amendment, which I think is not subject to a point of order.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 61, line 16, after the word "corps," and before the semicolon, it is proposed to insert the words "in excess of the number in existence on January 1, 1928."

Mr. JONES. Mr. President, will the Senator briefly explain the amendment?

Mr. THOMAS of Oklahoma. Mr. President, the bill carries a certain amount of money for the maintenance of certain military organizations in certain colleges, for example, Reserve Officers' Training Corps camps and Cavalry units in various colleges. The War Department finds occasion to change those units occasionally; for example, if a unit is not a success at one college it is desired to transfer it to some other college, but because of the nature of the language carried in the bill the department is sometimes restricted in placing a unit in some promising college. It is not proposed to increase the total number above those in existence on January 1, 1928. The amendment will make it possible for the department to use the number of units that were in existence on that date in a flexible way.

I will state frankly that my purpose is to authorize the War Department, within its discretion, to keep and maintain the same number of such units as were in existence on January 1, 1928, and if the amendment is adopted it will permit the department to use the equipment formerly used in connection with a Cavalry unit at a western college in reestablishing such Cavalry unit at the Oklahoma State Military Academy located at Claremore, Okla.

Mr. JONES. Mr. President, I can see no objection to that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. BLAINE. Mr. President, I proposed an amendment yesterday, and I desire now to offer the amendment as proposed with just a slight modification in the printed proposal, to which I will call the attention of the chairman of the committee. In line 1 I have inserted before the word "emergency" the word "national," so that it will read:

That hereafter, except in the event of national emergency.

I have made the same change in line 13, on page 2. I now offer the amendment as thus modified.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 22, after line 8, it is proposed to insert the following:

Provided, That hereafter except in event of national emergency no money appropriated by this or any other act for the transportation of the Army, Navy, Marine Corps, and/or their reserve services, including the National Guard, shall be available for payment for the transportation of parties of 10 or more members for distances not exceeding 200 miles unless bids shall have been previously requested of all carriers, including motor bus and electrical railways in the vicinity of the place of travel origin with service either direct or through connecting carriers to the vicinity of travel destination and the bid accepted making

the lowest net charge for such transportation: *Provided further*, That the maximum fare paid shall not exceed the through published fares or legal combination of intermediate selling and/or basing fares or lower special fares such as round trip or certificate plan for like transportation performed for the public at large when the number of persons transported complies with the requirements of the tariff effective at the time of travel: *And provided further*, That hereafter troops of the United States shall be exclusively transported for distances exceeding 200 miles except in event of national emergency, for either the whole or part of the distance over land-grant railroads affording available routes at the lowest net fares and charges, determined from through published fares or combination of intermediate selling and/or basing fares, unless the carriers comprising other competitive routes shall agree to transport such troops at the lowest net fares and charges applicable over such land-grant railroads and unless it be practicable to use Government-owned facilities for such transportation.

Mr. JONES. Mr. President, I desire to make the point of order against that amendment. I regret to have to do so, but it seems to me that it is clearly legislation proposed upon an appropriation bill, and involves a very important proposition that should have the careful consideration of a legislative committee.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. BLAINE. Mr. President, reserving the right to appeal from the decision of the Chair, I desire to suggest that this is a limitation upon the appropriation. If I have not used language appropriate for that purpose, I desire to modify the amendment so that it will be a limitation upon the appropriation.

The VICE PRESIDENT. The amendment, as drawn, is clearly a change of law.

Mr. BLAINE. I will perfect the amendment and offer it again in a modified form.

Mr. JONES. I ask unanimous consent that the clerks may be authorized to correct totals.

The VICE PRESIDENT. Without objection, it is so ordered. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. FRAZIER. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Senator from North Dakota offers an amendment, which will be stated.

The CHIEF CLERK. On page 23, strike out all of lines 18, 19, 20, 21, and 22 and insert "\$247,500."

Mr. JONES. Mr. President, I do not find the language to which the Senator refers on page 23.

Mr. FRAZIER. Beginning with line 18, it provides:

(including \$132,500 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$380,000.

I move to strike out those lines and to reduce the amount of the appropriation by \$132,500, leaving a balance of \$247,500.

Mr. JONES. I suppose that amendment is in order.

Mr. FRAZIER. Mr. President, a great deal has been said by the President and others interested in the welfare of our Government about reducing appropriations.

Mr. JONES. Mr. President, I am perfectly willing to have that amendment agreed to and take the matter to conference and do the best I can with it.

Mr. FRAZIER. I appreciate that, but I should like to make a few remarks on it.

Mr. JONES. I shall be glad if the Senator will make a brief statement.

Mr. FRAZIER. A great deal has been said by our President and others interested in the welfare of the Government about reducing appropriations; and there seems to be great need for reduction at this time, because there is a general depression all over the Nation. There are hard times. This Army bill, carrying a total appropriation of \$456,695,864, is about to be passed without any objection or criticism, apparently; and there are only a very few Senators who are sufficiently interested to be here on the floor and listen to any discussion that may take place in regard to this immense appropriation.

According to the newspapers last night, the Navy bill has been reported in the other branch of Congress, carrying, as I recall, some \$379,000,000, including, as I remember, \$49,000,000 for new cruisers provided for in the recent London conference on reduction of armaments. It makes the total of the Army and Navy bills pending before Congress right now over \$800,000,000. That is the largest appropriation that has ever been asked for in the history of the United States for those purposes in peace times. More than that, it is the largest amount appro-

priated by any nation on earth for army and navy purposes in peace times.

We are supposed to be a peaceful nation. We are supposed to stand for world peace. We led, it will be remembered, in the promotion and adoption of what was known as the Kellogg peace pact only a few months ago, declaring that we stood for world peace and against war, practically in the language of that treaty outlawing war; and 56 great nations followed the lead of the United States and France and adopted the Kellogg peace pact. Now, to assure our friends of the other nations that we did not mean what we said, we are about to appropriate over \$800,000,000 for war purposes in peace times here in the United States in the Army and in the Navy bills. It seems to me a little strange.

When the Army bill was before the House a member of the Appropriations Committee—Congressman COLLINS, of the State of Mississippi—made quite a lengthy speech. It was made on January 10. His speech begins on page 1388 of the CONGRESSIONAL RECORD, and to my mind it is most interesting. His speech perhaps had little or no effect upon the bill, because the bill was approved as reported out by the Appropriations Committee of the House, but it certainly explained the measure. Mr. COLLINS gives some tables here in regard to the appropriation for war and navy purposes in various countries.

For instance, in 1929-30 the estimate for the army and navy in the United Kingdom was \$547,274,600.

In France for the same year it was \$533,241,000.

In Japan it was \$235,351,000.

In the United States the estimate was \$741,000,000.

That was for the year ending July 30, 1930. That is the amount estimated. This year there is quite an increase in the amount—approximately an increase of \$100,000,000—and that in the face of the hard times that we have in the United States; that in the face of the fact that we have several million men and women out of employment to-day in the United States; that in the face of the fact that our surplus is almost exhausted, according to the President's own statement.

Mr. President, it seems to me just a little strange that we should promote increases in the Army and Navy bills in peace times. According to the report of the Senate committee, there is an increase in this year's bill over last year's bill of \$2,906,502; and then the Senate committee recommended net increases of \$452,478 in the measure.

Mr. President, I recognize that it is practically useless to make any remarks about this measure; but there are a few items that it seems to me should be called to the attention of the Senate and of the country.

The paragraph that I am attempting to amend, on page 23, is headed "Horses for Cavalry," and so forth.

Mr. FESS. Mr. President, will the Senator yield before he goes on with that item?

Mr. FRAZIER. I yield.

Mr. FESS. The Senator's observations on the cost of the Army are interesting and quite important. For example, France has an army that runs up close to 600,000 men; but, on the question of expense, France is scheduled as having less expenditure for her army than we have, while we have only about 137,000 men, including the officers. So the cost of an American Army in contrast with other countries, our Army being much smaller and theirs much larger, is quite remarkable.

Has the Senator ever gone into that matter at all?

Mr. FRAZIER. Mr. President, I will say just a word about that.

While the number of enlisted men in our standing Army is only 117,725, and in addition 11,943 commissioned officers, 1,138 warrant officers, and a few other organizations, making a total, according to Congressman COLLINS's figures, of 139,142—that includes some in the Military Academy, I think—there is an increase in this bill over last year's bill. In the case of Army officers there is an increase of about 200, providing that the average number will be 12,000, whereas in the 1930 bill the outstanding limit, the maximum, was 12,000; and the same thing is true in regard to the enlisted men as the bill provides that the average number shall be 118,750, whereas heretofore it was not to exceed 118,750; so that it allows for quite an increase in this bill over the last bill. But, according to Congressman COLLINS's figures—and I have checked up on quite a number of them and found them very accurate, and I have no reason to doubt that they are all accurate, because he was a member of the committee having this bill in charge, and extensive hearings were held in the House on this measure—he states that this bill provides for about 800,000 men. There is a comparatively small standing Army, but it provides for the Reserve Officers' Training Corps, the officers' training camps, and a thousand and one other things. Our Army appropriation bill takes in a lot more than our standing Army.

Mr. FESS. It could not be as high as 800,000.

Mr. FRAZIER. Those are Representative COLLINS's figures, and I believe they are right.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. BINGHAM. Without questioning the statement of the Senator, or of the Representative, is it not true, possibly, that that includes all civilian employees connected with Army activities?

Mr. FRAZIER. Oh, yes; it includes all this bill covers.

Mr. BINGHAM. Also the boys who attend the citizens' military training camps and the young men who go to the reserve officers' training camps and all the National Guard?

Mr. FRAZIER. Absolutely.

Mr. BINGHAM. And also the great many thousand reserve officers who at the present time take almost no part in military activities at all, most of whom are veterans of the World War, of whom we have about 4,000,000?

Furthermore, while I am on my feet, the Senator having been so good as to yield, may I call his attention to the fact that the total of the bill includes a very large amount to be spent for rivers and harbors and for other purposes?

Mr. FRAZIER. In the total figures there is something over \$100,000,000 for other purposes than what might be called strictly war purposes. Of course, Representative COLLINS eliminates that amount in his speech.

I want to read, just briefly, what he says about this particular statement. It is headed "The Gigantic Military Machine." He said:

Look at the total for which we are providing—

That is, in this bill, for the coming year—

Regular Army, at least 205,177; National Guard, at least 192,000; Organized Reserves, deducting National Guard men holding reserve commissions, 107,344; Reserve Officers' Training Corps, 147,402—this includes 55 C schools with 15,944 and schools below 55 C with at least 1,500—citizens' military training camp, 37,976; making a grand total of 689,899. If the rifle teams enrolling 110,000 are added, which I have not done, we get a grand total of about 800,000 people, as a minimum, taking toll from this bill.

The provision about which I started to speak, in regard to this amendment, is found on page 23, and is headed "Horses for the Cavalry." There is a great deal of controversy to-day over whether or not cavalry horses would be of much benefit in case of war. Many Army officers criticize the Army for holding to the cavalry. They say that they are obsolete, that they are behind the times, that they will not stand up in the face of tanks, and all that kind of thing. Of course, it was demonstrated in the World War that the armored tanks "put the horses in the shade," to speak colloquially.

There is a provision in this bill for tanks, found on page 46, which is rather amusing. The provision is headed "Tank Service." It carries an appropriation of \$25,320 for various tank organizations, tank schools, officers for tank centers, and the necessary mechanics to assist in repairing and preserving tanks in the hands of the tank units. But for horses for the Cavalry it carries a provision of \$380,000.

Representative COLLINS touches on this, and I want to read a little from a statement he put in the RECORD in regard to tanks. It is headed "Machines in Modern War," and it reads:

Tests were made last summer upon a tank that can travel across open fields at 40 or 50 miles an hour and along a road at over 70 miles an hour. In this connection an engineer said yesterday he had driven this tank 90 miles an hour and that it was possible for it to go 120 miles an hour.

This is the Representative's statement. I take it that that is more of an armored truck than the style of tank used during the World War. I can not understand how one of those old tanks could travel anywhere near that fast.

Mr. REED. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. REED. It is a tank, an armored car. It will not travel 50 miles an hour, but it will go nearly 40; but it is a tank.

Mr. FRAZIER. The Representative refers to it as a tank, at least. He said:

Here are a few sentences describing this tank taken from an article by Maj. C. C. Benson, an expert on tanks, in the Infantry Journal for September, 1929:

"At 25 miles per hour the machine goes over a 12-inch log with scarcely a ripple. * * * The machine made a trip of 144 miles between breakfast and lunch. * * * The driver can operate his steering levers with the pressure of a single finger; he can turn the machine about in half its length going either backward or forward, and can cut figure eights at a speed that would shame an international

polo pony. * * * Under skilled hands this machine has the agility of a wild cat. * * * It can cross a 7-foot trench, climb a 45° slope, surmount a 3-foot vertical wall, crush barbed-wire entanglements, and crash through underbrush. In bad weather it can operate more effectively than any other combat agency."

I think the statement is undoubtedly correct, from what I have observed of tanks myself, and from what I have heard of them.

This measure provides some \$25,000 for tanks and \$380,000 for horses. The item which amuses me most of anything is this one in line 18, page 23, an appropriation of \$132,500 for the encouragement of the breeding of riding horses suitable for the Army.

Mr. President, out in all the so-called range States, out in the State of Arizona, so ably represented by my genial friend the senior Senator from Arizona [Mr. ASHURST], the State of Wyoming, the State of Oklahoma, the State of Montana, and the rest of the so-called range States, riding horses are a drug on the market.

In Montana, in order to get rid of the range horses, commonly known as bronchos out there, but which are excellent saddle horses if properly broken, a company organized a horse packing plant at Butte, Mont., and they round up those horses by the thousands, take them there to that packing plant, and slaughter them, and the meat is canned. I do not know whether it is sold to the Army or where it goes, but it is canned anyway, and is disposed of in some way, at a profit, undoubtedly, because they are still buying more horses, cheap horses. They buy them at anywhere from \$2 to \$3 up to whatever they want to pay above that.

In the State of North Dakota, on the Indian reservations especially, they round up the small range horses, which are just destroying the grass because there are so many of them, and they are absolutely worthless to the Indians or to anyone else—that is, they are unusable because there are so many of them. They round them up in droves and sell them to the highest bidder for what they can get, and some farmer who has a drove of hogs will come in there and bid \$1.50 or \$2 for those bronchos, buy them for hog feed, and he will kill them and cut them up and feed them to his hogs.

The Army is asking for \$132,500 to encourage the breeding of horses suitable for the Army, and out of this bunch of Army horses, 2,160, according to Representative COLLINS, are used for polo ponies. It is the high-class polo horses which the Army officers want, as well as riding horses, apparently. Polo has become a very important game among the Army officers. It is a good thing for them to have some amusement, of course, but I can not quite agree to the appropriation of this \$132,500 for the encouragement of breeding riding horses under the present conditions.

When I was out in the State of Arizona two or three years ago, on one of the Indian reservations, there were Government men rounding up horses and shooting them in order to get them off the range. They are just as good riding horses for the ordinary Army officer, if well broken, as a purebred horse. Of course, they might not look as well, might not be as stylish, but they answer the purpose, because they are the kind ridden by the cowboys out West, and those cowboys can ride. They know how to ride, and, of course, the cavalrymen are supposed to know how to ride, and I think they do. I am satisfied that with the breaking of a few of these western bronchos, which can be bought for almost the cost of rounding them up, not to exceed \$3 or \$4 or \$5 a head, they could be shipped in here at just the cost of the freight, which would not be so very much, and save a good deal of money in the buying of horses.

Of course, as I understand it, the Government encourages Army officers to buy mounts of their own. I presume there are some of the Senators on the floor who can give the correct information about it, I do not know whether I have it correct or not, but this is the way it was explained to me, that where an officer wants to buy a horse of his own, the Government will sell the horse to the Army officer at about \$165. He buys it for his individual, private mount, and the Government encourages the officers to do that, and, of course, the Army officer is allowed so much for feed and bedding and care of his horse, an appropriation for which is included in this bill, I understand.

To further encourage the Army officer to retain his horse, his private mount, he is given a bonus the next year after he buys the horse, a bonus, I understand, of \$150 a year, for keeping up a private mount, which the officer bought from the Government for \$165 in the first place. Yet they want \$380,000 for Army horses.

Mr. President, my amendment is to strike out this provision about the \$132,500 and deduct that amount from the total, leaving \$247,500 for the horses for the Army. I do not think they

are needed, by any means, I think it is a waste of money, but if we are going to waste all these millions, anyway, it might as well be wasted on horses as on anything else, and give the cavalrymen a chance to ride, and make it possible for the farmers to sell some of the cheap horses. I am absolutely opposed to breeding farms for the promotion of the sale of high-priced and high-bred saddle horses by some millionaire horse breeder.

Mr. JONES. Mr. President, this policy was adopted several years ago and has been carried in several bills. It is in the interest of the Army.

As long as the Senator has referred to the \$150 a year paid to the officer, I may say that that is not a bonus at all; it is to cover actual expenses for maintaining a horse during that period of time. Of course, it would not be expected that the Army officer would maintain a horse which the law requires him to use as an officer of the Army.

I think this amendment should be defeated.

Mr. REED. Mr. President, simply a word about the purpose of this appropriation.

This \$132,500 item, which would be affected by the Senator's amendment, has nothing whatever to do with the allowance paid to mounted officers who provide their own horses. That allowance is not paid out of this item and has nothing to do with it.

The purpose of this is the maintenance of the remount and breeding stations, which are absolutely essential, under present conditions in this country, to maintain the strain, provide stallions for breeding, and to keep up the stock of that type of horse which is necessary for military service.

I do not need to take any time to discuss the necessity for the use of horses in the Army. If the Senate would think for one moment of the sort of campaign that would be necessary if there were an enemy 100 miles to the west of where we sit; of the hills and forests which intervene in that 100 miles; of the fact that no tank which man has ever devised could pass the first stretch of forest it would encounter; that no airplane could find landing fields; they would realize the necessity of horses for the Army.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

Mr. JONES. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside in order that we may proceed with the consideration of the appropriation bill which has been before the Senate.

The VICE PRESIDENT. Without objection, it is so ordered. The Senator from Pennsylvania will proceed.

Mr. REED. If one will consider the sort of war that would have to be waged from Washington against an enemy 100 miles to the west of us, he could see quite readily that the experience of the World War and the valuable lessons it taught would not be applicable to the conditions which would be encountered here. If we think of other possible fields of operation we can realize that the devices developed and adopted in the World War would be wholly useless and we would come back to depend on the horse and on the troops that were mounted on horseback as the only means of reconnoitering and campaigning through such country. It would be a sad day for the United States and for the United States Army if we ever decided to depend wholly on motor transports for our Army movements. We would find, in all likelihood, that in the next war we would be shockingly unprepared.

Mr. SWANSON. Mr. President, this provision was adopted at the time when it was impossible to get suitable horses for the Army. The particular strain needed was rapidly deteriorating and it was impossible to get horses suitable for Army use. This method which was started years ago resulted in removing that apparent defect. It has resulted in a great improvement in the strain of horses. We now have a strain of blood suited to military uses. If there was a necessity for it at that time, it is clearly apparent that the necessity exists now more than ever. The horse is being rapidly superseded by the motor. People raise fewer and fewer horses each year, and if this item is eliminated, there might come a time, as suggested by the Senator from Pennsylvania [Mr. REED], when it would be utterly impossible to get suitable horses for the Army.

If this provision is eliminated from the law and the opportunity destroyed for getting suitable horses for the Army, which are absolutely indispensable for any military establishment, it will be a serious thing for the Army and for the country. Unless the horses have in them the strain from their sires, the blood of a fine line of sires, the strain would disappear entirely and we

would reach a condition where it would be impossible for us to obtain suitable horses for the Army. This is the position the Army has always taken in the matter. It involves a very small expenditure to accomplish a very necessary purpose.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota.

The amendment was rejected.

Mr. FRAZIER. Mr. President, I have another amendment, which I offer.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 61, line 20, after the words "Reserve Officers' Training Corps," strike out the period and insert a colon and add the following:

Provided further, That none of the funds herein appropriated for officers or enlisted men of the Regular Army or any equipment shall be furnished any public educational institution wherein military training is made compulsory.

Mr. FRAZIER. Mr. President, this has to do with appropriations for what is known as the Reserve Officers' Training Corps. On page 58 of the bill there is a heading "Citizen's military training, Reserve Officers' Training Corps." It carries an appropriation of \$4,000,000. Then there are some other smaller appropriations which are made. Congressman COLLINS stated in his speech that undoubtedly the \$4,000,000 did not begin to cover the amount of money used for the Reserve Officers' Training Corps. "It would probably be," he stated, "three times that amount," and I think he is correct.

Mr. President, what I object to is the compulsory part of the military training. We have what are known as land-grant colleges, colleges and universities to which the Government donated land in order to help support them and give the citizens of the States the privilege and the opportunity to educate their boys and girls. For instance, in North Dakota we have an agricultural college, and a very good one, too. It is a land-grant college. If any farmer's son or any other boy in the State wants to get agricultural training, he goes to the agricultural college; but in order to get his agricultural training he is compelled, if he is an able-bodied boy as all of them are, to take a course in military training. The same is true of the boy who goes to the university in my State. If he goes to the university to take a straight academic or engineering course or any other course, he is compelled to take a course in military training at that institution, if he is an able-bodied boy. Practically the same thing is true at all of the State institutions throughout the country. The only exception I happen to know of is in the State of Wisconsin. The University of Wisconsin provides that the military training shall be elective.

As I understand it, when the law was enacted in 1916, known as the national defense act, there was a provision in it which made military training in land-grant colleges compulsory. A good deal of criticism was made of that provision and the act was amended in 1920 so that it technically cut out the compulsory feature of the military training in the land-grant colleges.

However, in order to get the money and the officers, the instructors furnished by the War Department to these colleges for military training, the board in the State that has charge of the State institutions has made military training compulsory, and in that way they get the additional money for the Reserve Officers' Training Corps training. It saves the State institutions quite a lot of money because it saves the expense of two or three additional instructors on the faculty, and there are a number of other savings as well. The boards are willing to make the course compulsory to comply with what amounts to a request or demand by the War Department.

There are a good many inducements held out to the boys to take the Reserve Officers' Training Corps training. As I understand it, when a young man enters a State university or agricultural college, if physically fit, he is compelled to take military training. The first and second years he is provided with a uniform by the Reserve Officers' Training Corps department. He turns that uniform in at the end of each year. At the beginning of the third year, when he becomes what is known as a senior in the Reserve Officers' Training Corps, he is given a uniform which he may keep. It is the uniform which under this bill is valued at \$40. It includes a flannel shirt and cap as well as the uniform. His suit is supposed to last him two years, but he is given, as I remember it, some \$8 or \$10 additional the second year to buy a new cap or a new shirt or something of that kind that he may happen to need.

Besides that, the boys in these colleges are given, as a further inducement, 35 cents a day to help pay their expenses—35 cents a day during their last two years in college. It amounts to quite a little money. In addition to that, they are given six weeks in the Officers' Reserve Corps training camp with all expenses paid, including transportation each way and including uni-

forms. One of the boys told me that everything but underclothes is furnished to them while they are at the training camp, including shoes, caps, their meals, and everything else. They are paid in addition to that while at the training camp 70 cents a day as a further inducement to go to the training camps to become what are termed "military citizens," or reserve officers.

Mr. President, what I object to is the compulsory part of it. If a boy goes to the university and wants to take a course in military training, that is all right; I am perfectly willing he should do so; but I do not like the idea of a State university or State agricultural college or any other public educational institution, a high school, for instance, saying to a boy, "You must take military training if you are going to attend this school." As I understand it, it is not exactly compulsory in the high schools. I remember when we first came here one of my boys who was in high school brought home a note one night to the effect that the school authorities wanted to know whether I was willing that the boy should take military training. It stated that if the parents objected he would not need to take the course. I wrote back that the principal reason why I objected was that the boy did not want to take the course. When my second boy was old enough to enter high school he came home one night and said, "I have joined the military company." I told him it was all right if he wanted to join. He joined and went through and is now taking a course in military training in the Reserve Officers' Training Corps at the university.

Mr. President, it seems to me if these funds are to be appropriated by the Government for the training of these boys in the Reserve Officers' Training Corps, it should be elective on their part and not compulsory. That is the reason why I have offered the amendment.

On the question of my amendment I would like to have the yeas and nays, and for that purpose I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	McKellar	Steak
Ashurst	Glass	McMaster	Steinwer
Barkley	Glenn	McNary	Stephens
Bingham	Goldsborough	Metcalfe	Sullivan
Black	Gould	Norris	Swanson
Blaine	Greene	Oddie	Thomas, Idaho
Blease	Hale	Overman	Thomas, Okla.
Borah	Harris	Patterson	Trammell
Bratton	Harrison	Phipps	Tydings
Brock	Hatfield	Pine	Vandenberg
Broussard	Hawes	Pittman	Wagner
Capper	Hayden	Ransdell	Walcott
Caraway	Hebert	Reed	Walsh, Mass.
Connally	Howell	Robinson, Ark.	Walsh, Mont.
Copeland	Johnson	Robinson, Ind.	Waterman
Couzens	Jones	Schall	Watson
Cutting	Kean	Sheppard	Wheeler
Deneen	Kendrick	Shortridge	
Dill	Keyes	Simmons	
Fess	La Follette	Smoot	

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

Mr. JONES. Mr. President, I think the word "or" should be changed to "for" in the amendment, so as to read:

That none of the funds herein appropriated for—

And so on.

Mr. President, I think the amendment clearly provides a limitation, and so I make no point of order against it. The Senator from North Dakota objects to compulsory military training, and the purpose of the amendment is, in effect, to compel the people of a State to do away with compulsory military training. I myself am not in favor of compulsory military training; but that is a matter that should be left, I think, to each State to determine for itself. I do not think the Congress should expressly provide that the National Government shall furnish no money for military training to a State where the military training is compulsory, nor do I think it should provide that no money to a State shall be furnished where the military training is not compulsory. Some of this money is intended to encourage military training, and as to whether or not such training shall be compulsory should be left entirely to the State to determine with reference to its own schools. So I think the amendment should be rejected.

Mr. FRAZIER. Mr. President, as stated by the Senator from Washington, my objection to the Reserve Officers' Training Corps is the compulsory feature of it in our State colleges and universities. The Senator from Washington has stated that compulsory military training is a matter which should be left to the States and that the Congress should not embody in our

national law a provision against such training. I want to quote from a speech delivered by Representative COLLINS in the House of Representatives on January 10, 1930, as to what he termed was the "goal" of the War Department. Representative COLLINS said:

Last year I told this House of the ambitions of the military arm as they were outlined by Col. P. S. Bond, who has helped prepare most of the textbooks the Army uses for these boys in the colleges. I quoted from his book *Our Military Policy*, which outlined, among other things, these objectives for a "modest" military force:

"A Regular Army of about 300,000 enlisted men and 20,000 officers. A National Guard under complete Federal control numbering from 400,000 to 500,000 officers and men. An Organized Reserve of from 500,000 to 1,000,000 officers and men. The Reserve Officers' Training Corps in schools and colleges. Universal military training for young men in time of peace."

That, according to Representative COLLINS, is the statement of Colonel Bond, of the War Department, who states that the goal toward which they are expressly working is "universal military training for young men in time of peace."

Mr. President, I am trying to eliminate by this amendment the compulsory feature of military training in our public educational institutions; and on the amendment I ask for the yeas and nays.

Mr. REED. Mr. President, the system of which the Senator from North Dakota complains had its origin in an act of Congress which was passed on July 2, 1862. At that time the country, both North and South, was suffering as keenly as could be imagined from the absence of men trained in military tactics. In both northern and southern armies thousands of brave young men died because of the absence of efficient leaders, trained and schooled in military science. Congress, with that object lesson before the country, passed the act of July 2, 1862, which gave freely to a number of State universities vast quantities of public lands, stipulating only that the young men who received training there should be required to some extent to be taught military science and tactics.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Tennessee?

Mr. REED. I yield.

Mr. McKELLAR. Mr. President, so far as the University of Tennessee is concerned, which is a land-grant college, I am sure military training is not compulsory.

Mr. REED. I was going to explain as to that.

Mr. McKELLAR. I was educated at the University of Alabama, and I know military training is not compulsory there. I am just wondering whether military training is compulsory anywhere? Is it compulsory in the State of Pennsylvania, I will ask the Senator from that State?

Mr. REED. No; it is not, except by the action of the college authorities themselves.

Mr. President, subsequently in 1916 and in 1920, as I recall, the law relating to those colleges was changed, and the element of compulsion upon the college authorities was removed. That is my understanding of the present provision of the law, that it is solely for the college authorities themselves to decide whether military training shall be compulsory within their institutions.

The effect of this amendment would be to have Congress say to the local authorities, "However unanimous you may be as to the desirability of this type of training, yet we forbid you to decide for your State and your locality that military training is an advantageous thing for the Nation and for the young men of the Nation."

Mr. TYDINGS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Maryland?

Mr. REED. I am glad to yield.

Mr. TYDINGS. I should like to say to the Senator from Pennsylvania that it is my understanding, based upon personal observation, that in the colleges the students have the option of taking military training or not taking it. In some of the colleges at least the student body quite often is too large for them all to obtain such training, but those who desire to have it are given the training. It is, however, not compulsory; it is purely optional in a great many cases.

Mr. REED. I do not know of any except the purely military colleges and military schools where military training is compulsory upon all the student body, but there may be such cases about which I do not know.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from North Dakota?

Mr. REED. I yield.

Mr. FRAZIER. I wish to say that in the State of Maryland, from which my friend [Mr. TYDINGS] comes, military training is compulsory at the University of Maryland, for the able-bodied boys who attend there.

Mr. TYDINGS. For how many years?

Mr. FRAZIER. For two years at least.

Mr. TYDINGS. For how many years do the able-bodied boys attend the university? The course is four years, and sometimes five years, is it not?

Mr. FRAZIER. The regular university course is four years.

Mr. TYDINGS. And is not the two years of military training in line with the general athletic development of the students?

Mr. FRAZIER. I am referring to compulsory military training.

Mr. TYDINGS. I should like to say to the Senator that what he has stated is not correct in all cases, because in a great many instances at the University of Maryland, whether the student shall take up military training or not is optional with him. If he takes it up he has so many hours to put in a week, but it is only those who refuse to take what might be called extraneous studies who are compelled to take military training.

Mr. FRAZIER. Mr. President, will the Senator from Pennsylvania yield further?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield further to the Senator from North Dakota?

Mr. REED. I yield.

Mr. FRAZIER. I think the Senator from Maryland is entirely mistaken. If a boy at the Maryland University takes a 4-year course in the Reserve Officers' Training Corps he is credited during the first two years with two college hours per year, and during the last two years he is credited with 6 college hours per year out of the total of 36 college hours, or one-sixth of his course during the last two years, is the Reserve Officers' Training Corps training. The military training is compulsory at Maryland and is also compulsory in 158 other colleges throughout the United States.

Mr. REED. Mr. President, I have some difficulty in arguing this matter solely from the standpoint of local government, because I am so firmly convinced of the benefit to the country as a whole and to the individual himself of this military training. I feel no doubt whatever that the young man who has learned discipline himself, and the ability to enforce discipline upon others fairly, is a far more valuable citizen than he who is ignorant of those two essential things; and I have not a very great respect for the man who prefers to have some one else do his fighting for him when the country needs service.

Quite apart from all that, however, it seems to be wholly indefensible for Congress to undertake to lay down the law to these local communities as to the kind of education, the kind of training, they believe to be desirable for their young men.

For that reason, I hope the amendment will not be adopted.

Mr. FRAZIER. Mr. President, this is not a case of laying down the law as to what an educational institution shall do. It is a case of the United States Congress saying whether or not money that is provided by this bill for the War Department, and men and equipment from the War Department, shall be used in this college for compulsory military training. That is what the question is.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from North Dakota [Mr. FRAZIER].

Mr. FRAZIER. I call for the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. BLAINE. Mr. President, I desire to express my keen regret that the chairman of the Committee on Appropriations has raised a technical objection to an amendment that is in compliance with the President's announced plan of economy.

I recall that the President on several occasions has plead with Congress to be extremely careful in making appropriations, else the United States Treasury would become bankrupt. The President is a letter writer. He has written letters to Members of Congress, as I recall, pleading with them not to burden his administration with unnecessary appropriations.

I find myself in the position this afternoon of coming to the aid of the President. The President has practically complete control with respect to these matters, especially as it affects the amendment which I proposed a few moments ago, and which the Chair ruled out of order. It has to do with an appropriation for the War Department.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. BLAINE. I do.

Mr. FRAZIER. I desire to call the attention of the Senator from Wisconsin to a statement made by the President in his message at the opening of the Congress:

I recommend that Congress give earnest consideration to the possibilities of prudent action which will give relief from our continuously mounting expenditures.

Mr. BLAINE. I thank the Senator for pointing out specifically the statement made by the President. I was merely stating the general proposition from memory.

I find myself in the position of supporting the President in this particular instance, while on the other hand, we find the chairman of the Committee on Appropriations defeating the President's plan for economy by raising a technical objection.

This is one of those cases where hundreds of thousands of dollars will be saved. I am going to put the administration to the test of whether or not it is sincere in its plea for economy, or whether it is a mere pretext and piffle.

The bill before us is the appropriation bill for the War Department. The amendment that I had proposed is to reduce the expenditures in that department without defeating a single public service, without in any way curtailing any necessity.

I think that this proposition, as I see it, is little short of a scandal. The responsibility for this situation rests with the President of the United States, who appoints the Secretary of War. The responsibility is also shared by the Director of the Budget. It is a responsibility also shared by the chairman of the Committee on Appropriations. Every instrument of Government respecting this appropriation is in the control of the President, except, of course, the final action by Congress; but the initiative in this matter is a responsibility that rests with the President. Yet, we find that the Secretary of War is acting contrary to the President's recommendation to the Congress, and the Director of the Budget's estimates are contrary to the recommendation of the President; and the effect of the technical objection to my amendment is inimical to the recommendation of the President.

The Chair may be correct in his ruling. I am not going to discuss that at this time; but within the next 10 months there will be another annual appropriation bill for the War Department. It is not my privilege to be in very close contact with the Secretary of War or the President of the United States; but it is within my province and within my duty to call the President's attention to this matter, to call it to the attention of the Secretary of War and the Director of the Budget, and to call to the attention of the Appropriations Committee the necessity for legislation as proposed by the amendment. It relates to the transportation of troops; and I shall review the facts as they appear of record.

The Comptroller General, in his annual report for the fiscal year 1926—I think I have a copy of the report here—says, on page 12 of that report:

There are, however, statutes the administrative violation of which is so general that the setting forth of each violation separately becomes impractical, as, for example, violations of sections 3709 and 3744, Revised Statutes.

Section 3709 of the Revised Statutes of the United States provides that—

All purchases and contracts for supplies or services in any of the departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same.

Paragraph 8-e, Army Regulations 30-920, reads as follows:

Bids for transportation of troops will be invited only when specifically directed by the Quartermaster General.

A rule in violation of the express statute—and this statute to which I have called attention has been continuously violated, to the great financial detriment of the United States. Some of our courts have denounced it.

In the Court of Claims, in the case of Chicago & North Western Railway Co. against United States, decided December 23, 1929, referring to the military agreements which are in violation of express law, I quote from the decision of the court:

The military agreements heretofore referred to obviously precluded the construction of through fares upon any basis which might produce a lower net fare. The injustice of such an equalization is apparent.

And the court took such action as to show condemnation of some of these military agreements for the transportation of troops in direct violation of law.

The practice of inviting competitive bids for movement of troops between points in the territory west of Chicago, St. Louis, and the Mississippi River was discontinued July 1, 1915, under an agreement entered into between representatives of the

War and Navy Departments and the Marine Corps. I might say that what I have said with reference to the War Department applies with equal force in all respects to the Navy Department and to the Marine Corps and to all departments having jurisdiction with respect to the transportation of troops—military, naval, or the Marine Corps.

I repeat, the practice was discontinued under an agreement entered into between representatives of the War and Navy Departments and the Marine Corps, and certain railroads operating in that territory. Similar agreements have since been made with certain railroads operating in all parts of the United States, and while the agreements now in effect do not specifically provide that competitive bids shall not be invited, a tacit agreement or understanding exists to that effect.

These agreements form such a mass of technical terms, rules, ambiguous phrases, general and special exceptions, reservations, and restrictions that a concise statement as to how they work to the disadvantage of the Government is not only impracticable but utterly impossible. I therefore can not discuss in detail the joint military passenger agreement.

I have neither the time nor the facilities with which to work out a concise statement of all the ramifications and of all the schemes and the rules and the regulations and exceptions and restrictions, all designed to defeat the Government of the United States, but I am going to point out with sufficient simplicity the crux of this whole situation that everyone may understand.

I quoted from the decision of the Court of Claims. The view taken by the Court of Claims evidently was the controlling one which led the court to dismiss the plaintiff's petition. That decision, however, was based upon the agreements in effect from January 1, 1921, to July 1, 1924. The agreements in effect since the latter date are awarded in such manner as to prohibit the construction of fares upon the basis used by the General Accounting Office in that case.

Furthermore, the equalization agreement, which becomes a part of and supplemental to the joint military passenger agreement, or vice versa, I do not know which, under which the non-land grant railroads agree to accept the net fares their land-grant competitors are required to accept under the land grant acts, are so worded as to prevent the use of land-grant roads in many instances and thus deprive the Government of the advantage of the lower net fares.

It will be recalled that Congress has given large land grants to the railroads of this country. There is one of the railroads from the Twin Cities to the Pacific coast which has had land grants exceeding in value the entire cost of their entire system, and they have a very large surplus of lands under the land grants still in their possession, or the profits therefrom. Yet these military agreements are so designed as to prevent the Government of the United States from taking advantage of those land grants made to the railroads.

I want at this point briefly to call attention to the provisions of the land grants when they were made to the railroads. Generally speaking, the condition of such grants was that the roads receiving public aid should transport troops and property of the United States ordinarily at 50 per cent of the commercial fares or rates, respectively. In some of these cases the carriers were required to transport troops and property of the United States free of charge, but in most instances the subsequent statutes have permitted them to receive payment on the basis of other land-grant roads; that is, on the basis of 50 per cent of the commercial charge.

None of these roads are wholly land grant between their termini. The procedure has been adopted, in which the carriers have acquiesced, of taking the ratio of the land grants to their total mileage between the points of movement, and making deductions on account of land grants by the use of such ratio. But through the military agreement and by reason of the exceptions therein made, the whole purpose of the land-grant provision is defeated.

For instance, under these agreements the Government of the United States must pay for the transportation of troops not a combination fare, not a fare that is offered to the general public. It will be appreciated that in the transportation of troops it is not one company, but usually many companies of troops, consisting of large numbers of men, sometimes in greater number than those who may attend conferences and conventions, who receive certain reduced fares. Yet under this military agreement that which is offered to the public generally is denied to the Government of the United States.

The roads shelter themselves under the argument that the Government receives 3 per cent discount. Yes; 3 per cent discount on an excess fare.

I want to call attention to the paragraphs which accomplish the cheating of the Government by and with the consent of

those who join in this agreement. The military joint passenger agreement includes the United States Army, the United States Navy, and the United States Marine Corps.

Listen to this. Under a paragraph designated as subdivision (3) in the joint military passenger agreement in effect July 1, 1921, to June 30, 1930, appears this:

The concessions in fares—

What are those concessions in fares? Three per cent discount—

afforded by this joint military passenger agreement, supplements thereto or new issues thereof, as a whole, are made a condition precedent to:

(b) The nonuse of two or more Government transportation requests for the purpose of reducing the authorized fares.

What does that mean? This agreement provides that in order for the Government to receive the 3 per cent discount on the excess fare the War Department, or the Navy Department, or the Marine Corps can not issue two transportation requests. It must be one request. In other words, if there are two railroad systems over which the troops must be transported the request will include the full fare from the beginning of the journey to the end of the journey, and where there is an opportunity to take advantage of lower fares because of an intermediate passenger tariff relating to one of those transportation systems, the Government is prohibited from issuing the two requests, and thereby, through that system, the higher fare prevails. That is what the Government is to receive as a concession in fares, and that concession, as I have said, is a 3 per cent discount on the total fare.

The other condition precedent is under subdivision (c):

The nonuse of mixed fares (like a combination of round-trip fares and double locals, etc.) in the construction of through net fares.

In other words, the Government can not take advantage of reduced round-trip fares in consideration of the Government receiving 3 per cent reduction on the excess fare both ways. That is what those clauses mean.

I have referred to the transportation request. Let me state the exact terms of the agreement. Under general paragraph 12 the subject is "Transportation requests," and I read:

(a) Only one transportation request to be drawn in each case calling for ticket from starting point through to final destination.

That is the only request the Government can make, notwithstanding the fact that there may be an opportunity, and is in many cases, of reduced fare for the general public, which ought to apply with equal force to the troops of the United States. But by this joint military passenger agreement that sort of thing is prohibited, and thereby the railroad companies get the highest possible fare.

Under the equalization agreement is the opportunity for a subrosa contract, a concealed understanding between the land-grant roads and the non-land-grant roads, with the result that the Government loses the benefit of the land-grant road concession and pays the highest price payable to the non-land-grant railroads.

Mr. President, the real purpose of the military agreement is to hamstring the Government by getting it to give up two rights in exchange for a small 3 per cent allowance, namely, the right to route its troops over the route of lowest cost and best service, and the right to issue two or more transportation requests in order to secure the advantage of any special rate that may be in effect between junctional points through which any given troop movement must pass to reach destination. This purpose has been achieved by the voluntary act of the War Department and the Navy Department. The military agreement is the instrument which the railroads use to emasculate the equalization agreement by filling it full of considerations and exceptions which they could not and would not attempt if there were no military agreement. The purpose of the amendment which I proposed was to make it impossible for the military agreements to be entered into between departments of government and the railroads.

I want to illustrate what happens under these circumstances. We will assume that there is a movement of troops from San Francisco to Vancouver Barracks, which are located in the home State of the chairman of the Committee on Appropriations [Mr. JONES]. There are, let us suppose, a thousand troops to be transported. There being two transportation agencies, the joint fare between San Francisco and Vancouver barracks the passenger tariff to the travelling public between those two points is \$15.48. By reason of the clauses to which I have referred in the military agreement, the Government of the United States pays between San Francisco and Portland, the termini of one

transportation agency, \$26.96, plus 48 cents to another transportation agency across the Columbia River from Portland to Vancouver Barracks, or a total of \$27.44, \$11.96 per man more than is paid by the general public by reason of the specific exceptions made in the military agreement to which I have called attention. That means a loss of \$11,960 for the movement of 1,000 troops one way or \$23,920 loss both ways.

I have simply used this by way of illustration. That situation obtains with respect to every military training camp in the United States, every military reservation, every National Guard reservation, every reservation under the control of the Army, the Navy, the Marine Corps, or the National Guard, wherever any one of these reservations must be reached by the use of two transportation systems. The Government is called upon to pay the full local fare on each separate transportation system, notwithstanding the published tariff passenger rates are far lower under a joint rate. This is the sort of thing that is guaranteed by the military agreement and this is the sort of thing that would have been prohibited under the amendment which I proposed.

Mr. President, I am going to discuss the provisions, the purposes and the effects of the amendment which I proposed if it had been adopted. Before doing so I want to call attention, however, to one more case by way of illustration. I could multiply cases of this kind. As I said, the discrimination against the Government obtains in every case where there are two transportation systems necessary to reach any military reservation, State or national, for use of the Army, the Navy, the Marine Corps, or the National Guard.

The particular controversy decided by the Court of Claims in its opinion of December 23, 1929, in favor of the United States originating in what has been called the Vicksburg-Shreveport case. In that case the lowest net fares from points in New England Trunk Line Association territory, Central Passenger Association territory, and Southeastern Passenger Association territory to points in Southwestern territory were established by use of the land-grant route through Vicksburg and Shreveport; that is to say, the non-land-grant carriers in transporting troops from New England trunk line, Central Passenger Association and Southeastern Passenger Association territories to points in Southwestern Association territory were paid on the basis of the equalization fares under their agreement, being land-grant roads. Twelve days prior to the changing of stations by several large military organizations, through fares via Vicksburg and Shreveport between practically all points east of the Mississippi River and points west thereof were eliminated from the tariffs.

There being no through published fares via this land-grant route at that date, the non-land-grant carriers thereupon contended that it was an unauthorized route and because unauthorized in the tariffs they were not compelled to equalize therewith on movements which had been routed by the troop movement bureau of the American Railway Association through St. Louis, Memphis, and New Orleans, even though these gateways had been chosen for the purpose of equitably distributing the traffic in accordance with the terms of the agreement entered into entitled "Joint Military Agreement No. 1."

The Comptroller General's office, as I understood, took the position that that could not be done and there was a refund in that particular case; but during this period a similar case was decided against the Government in *United States v. Northern Railway Co.* (25 Fed. (2d Ed.) 961-964), wherein the Eighth Circuit Court of Appeals held in effect that the withdrawal or failure to establish through fares via certain gateways prevented the Government from constructing a through fare via that gateway for the purpose of an equalization agreement. That court has held that by reason of those exceptions and reservations in the military agreement the railroad companies could withdraw these through-fare rates and thereby defeat the interests of the Government.

Mr. President, there are three propositions in the amendment which I proposed. Two of them refer to two major problems involved under the present land grant laws and in connection with the equalization agreement entered into between administrative officers of the Government and the railroad carriers.

The first problem is the present elimination for all practical purposes of motor bus or electric railway competition. Under the present military agreement, where there is a short haul for instance, an ordinary day's drive of a few hundred miles, a motor bus which may give good service at reduced rates is prohibited from rendering that service for the Government. Under our modern motor transportation system a very large number of troops could be conveyed by motor bus, and particularly the troops of the National Guard in our several States. The motor busses would gather the troops at their home sta-

tions, right at the armory door, and take them from the armory with their paraphernalia to the military reservation where they would receive their two or three weeks' training. That is prohibited under the present military agreement. Those troops must be transported to the railway station at their home station.

If the railroad does not reach the military reservation or within its bounds, the troops, including their baggage, must be transported from the railroad station to the military reservation at an additional cost.

So the first problem to solve is to provide for motor bus or electric railway competition.

Mr. President, the motor bus or electric railway competition is not generally available, I know, for long-distance transportation, and the purpose of the first proviso is to make it available within a distance of 200 miles from the home station to the military reservation. There is doubt whether needed facilities could be furnished by them for distances exceeding 200 miles. As a matter of fact, most of the National Guard movements, as I have said, are less than 200 miles from the home station to camps or reservations and return.

It will be noted that the first sentence of the proviso requires competition between railroads, motor busses, and electric railway systems, and requires that the transportation shall be let through public bidding of the carriers.

The second proviso is designed to prevent competitive carriers from combining to increase their fares for such movements over their through published fares or combinations of intermediate fares or over special fares available for the movement of those attending conventions, and other large aggregations of people other than the movement of troops. That is to make it possible for the Government of the United States to transport its troops in large numbers at the same rate for which the railroads transport individuals in large numbers in going to and from conventions, conferences, and other large meetings.

The second problem is the failure to establish and maintain through tariffs via certain gateways, and the contention of the carriers based thereon that the absence of through fares closes routes via such gateways to the Government for the purpose of the equalization agreement; in other words, where the railroad companies withdraw their through fare rates that closes the gateways through which the troops must be transported.

The third provision is aimed at the second problem of long-distance transportation, where there is an attempt to close a gateway to the Government of the United States for equalization purposes; that is, where the non-land-grant railroads set up a scheme by which they can close a gateway and thereby demand under the military agreement the full fare between intermediate points and between junction points, and between gateways, although the public does not pay such a fare.

So this provision covers all troop movements, including those of the Army, the Navy, and the Marine Corps and their reserve services, but not the National Guard. It will be observed that the first proviso includes the National Guard, because they are usually transported a distance not exceeding 200 miles, and under that first proviso they will be transported under a competitive system, including all modes of transportation. The movements for which the United States is entitled to land-grant reductions from the commercial fares shall be routed over land-grant railroads.

Mr. President, Congress made land grants to railroads on condition that the property of the United States and the troops of the United States should be transported at a 50 per cent reduction of the regular fares, yet these military agreements effectually destroy that provision of the land grants. This proviso is intended to restore the full force and effect of the reservations and conditions made in the land grants when Congress turned over vast areas of land for the use of the railroads; that is, where the land-grant railroads are available and at the lowest net fare, providing, of course, that the Government may have other means of transportation, such as airplanes; and also providing that the troops shall be transported over the land-grant railroads unless competitive carriers will agree to transport the movement at the same charges available over the land-grant roads.

The first provision requires the submission of bids in order to insure competition in transporting troops of 10 or more for distances not exceeding 200 miles; while the third proviso requires competition on all movements between the land-grant and competitive nonland-grant carriers, with this difference: That in the short movements bids shall be requested prior to each movement, while under the third proviso the competitive non-land-grant carriers may file their written consent to transport at fares available to the Government over land-grant routes, and such consent may remain effective until and unless withdrawn.

I might say the reason for this difference is that motor busses or electric-railway carriers may not have the permanency of railroads. Furthermore, the greater movements under the first proviso will be of the National Guard, which moves from its home stations to the camps and reservations and return during the summer months, when the motor busses and the electric lines, if there be any, and other carriers may conclude to offer special fares lower than the usual commercial fares.

The exception of a national emergency is inserted in two of the provisos, so that in case of war, domestic or foreign, then this provision respecting the transportation of troops shall not prevail. I appreciate that in war time, when the life of the Nation may be at stake, we do not stop to consider whether the transportation of troops shall be over land-grant railroads or nonland-grant railroads, by bus, by electric railway, or otherwise, but the most available and the most expeditious transportation must be provided. Therefore, the only exception made with respect to the transportation of troops should be made with respect to a national emergency.

Mr. President, briefly I have outlined the situation, and I can only repeat my expression of regret that the chairman of the committee has raised a point of order. I am not condemning him. I hope, however, to serve this purpose: To call the attention of the President, who has been urging Congress to be economical in its appropriation of funds, to this situation; to call the attention of the War and Navy Departments to this situation; to call it to the attention of the Appropriations Committee for the next Congress; to call it to the attention of the executive departments of the Government under the control of the President in order that it may be corrected.

Mr. President, no one is able to estimate the amount of money that may be saved, but in the minds of those who have studied the question closely, those who have come in contact with it, there is no doubt that millions of dollars can be saved to the Government of the United States; that we can make effective the reservations and provisions of the land grants that were made to the railroads; and that we owe this obligation to the Government of the United States.

Mr. JONES. Mr. President, I want to commend the Senator from Wisconsin for the industry he has shown and for the purpose he seeks to accomplish. I wish to urge, however, that he prepare a bill—and the amendment he has proposed could be put in the form of a bill with a very few minor changes—so that this important matter may be considered by the proper legislative committee of this body, which is the Committee on Military Affairs. The Committee on Appropriations is not a legislative committee. Its function is simply to recommend appropriations that are authorized by law.

I have no apology to offer for making the point of order against the proposed legislation. I have been directed to do so by resolution of the committee. The committee came to the conclusion that it was wise for us not to encourage legislation upon appropriation bills, and I myself think that is a wise policy. We have legislative committees, and they should consider legislative matters. We should not, as an appropriations committee, assume to appropriate and also to legislate.

Furthermore, I think the argument of the Senator has shown the importance of the proposition that he advances. As I said a moment ago, I sincerely trust that the Senator will take up this matter with the legislative committee of the Senate. It is not, in my judgment, entirely a duty and responsibility resting upon the President of the United States. Of course, whatever can be done in an executive or an administrative way it is very proper to do; but there are legislative matters that Congress must at least originate and take the first step to carry them out. That we ought to do.

So, as I said a moment ago, I hope the Senator will present this matter in legislative form to the legislative committee of the Senate, and have the matter taken care of. Anything reported and recommended by that committee along the lines that the Senator proposes I think will have my hearty support, because I was very favorably impressed with the propositions that he advanced.

Mr. BLAINE. Mr. President, will the Senator yield for a question?

Mr. JONES. I yield.

Mr. BLAINE. As I understand, if there was a recommendation by a committee or if the matter was approved by the Director of the Budget the Senator would not then raise the point of order under the rules?

Mr. JONES. No; I did not mean that. I think legislative matters should be acted upon in the regular legislative way. If the Senator will get from the Committee on Military Affairs a report of a bill carrying out his ideas, it would go on the calendar and should come up for consideration and passage as a legislative measure. The report of a committee on a

purely legislative matter does not make that matter in order on an appropriation bill, nor would the recommendation of the Budget make a purely legislative matter in order on an appropriation bill.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. JONES. I yield to the Senator.

Mr. BINGHAM. The Senator will remember that the Budget recommended five or six legislative provisions in the District of Columbia appropriation bill, all of which the committee struck out and referred to the Committee on the District of Columbia; and that committee has already reported to the Senate most of the matters which the Budget recommended that the Appropriations Committee should handle.

Mr. JONES. That is correct. While our rules provide, in substance, that an item of appropriation pursuant to a resolution that has passed the Senate at the present session is in order on appropriation bills, our rules do not make in order a purely legislative matter, even though it may be favorably reported by the committee having jurisdiction over the subject matter.

Mr. BLAINE. Mr. President, as I understand—

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received; in like manner, amendments proposing new items of appropriation to rivers and harbors bills shall, before being considered, be referred to the Committee on Commerce; also amendments to bills establishing post roads, or proposing new post roads, shall, before being considered, be referred to the Committee on Post Offices and Post Roads.

In other words, this amendment does not in any way come under the specific exceptions to which I have referred, and is only an amendment which restricts the use of an appropriation, and, in my opinion, it is in order, but the Chair has ruled otherwise.

It is true that I am privileged to take an appeal from the ruling of the Chair, but my contention is that here is a proposition in the way of which only stands a technical objection; and certainly those who represent the administration, and who desire to follow the President, might well yield and withhold a technical objection when the fact has been called to the attention of the Senate that millions of dollars might be saved.

The PRESIDING OFFICER (Mr. Fess in the chair). The Chair will state to the Senator from Wisconsin that the occupant of the chair had ruled on the ground that this is new legislation, and not on the ground the Senator mentions.

Mr. BLAINE. I understand. Of course it is new legislation in the respect that it limits the purposes for which money may be expended. There have been repeated rulings, however, that where an amendment is designed to limit the purpose for which money can be expended, it is in order; and there can be no possibility of limiting such a purpose unless there is new legislation. So I very keenly disagree with the Chair, but, under the circumstances, even though it might be a close question either way, I do not think a technical objection ought to be raised against the repeated demands of the President of the United States for economy.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. McKELLAR. Mr. President, pursuant to the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice that I shall hereafter move to suspend paragraph 3 of Rule XVI for the purpose of proposing to H. R. 10813, the District of Columbia appropriation bill, the following amendment. On page 2, after line 12, insert the following:

That the Commissioners of the District of Columbia be, and they are hereby, authorized to continue William Tindall in the service of the government of the District of Columbia notwithstanding the provisions of the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, as amended.

I tried to find the Senator from Connecticut [Mr. BINGHAM] to ask if he would not accept that amendment. The bill has passed.

Mr. BINGHAM. The bill passed the Senate yesterday.

Mr. McKELLAR. Yes.

Mr. BINGHAM. But the bill is new legislation; and under the practice of the Appropriations Committee, except in cases of the very greatest emergency, the committee instructed the

chairman, as he has just stated, not to permit new legislation on an appropriation bill while the point of order lay against it.

Mr. McKELLAR. A point of order will not lie against this amendment, because under the rule I have a right to give notice of a motion to suspend the rules. It is just a question of getting two-thirds; and, in justice to this splendid old gentleman, who has served his country in time of peace and in time of war so splendidly, I hope that the Senator from Connecticut will not interpose an objection, but will let the Senate adopt the amendment.

Mr. BINGHAM. Mr. President, I am in entire sympathy with what the Senator desires to do. In fact, when the matter was brought to my attention when the appropriation bill was before the subcommittee of which I have the honor to be chairman I told the gentleman who brought it to my attention that since it was new legislation we could not put it on, although I thought, in all justice to the splendid service which Mr. Tindall has rendered to the District for more than 50 years, it ought to be done. I suggested to him that he take up the matter with the chairman of the Committee on the District of Columbia and get the legislation through, which he did, and the bill has passed the Senate, and I have no doubt that it will pass the House promptly. Unless, however, the Senate chooses to disregard the rules or to suspend the rules in accordance with the motion just made by the Senator from Tennessee—which motion I shall not oppose—it will be necessary for me to raise the point of order against the amendment under the rules of the Appropriations Committee, greatly as I shall regret to do so.

Mr. McKELLAR. I thank the Senator very much.

In connection with the rule against legislation on appropriation bills, I desire now to call the Senator's attention to the top of page 72 of the District of Columbia appropriation bill, where there is an amendment changing the law by striking out certain matter; and to-morrow, when the matter comes up, I shall have to invoke the same rule that the Senator says is the rule of the committee, and make a point of order to that, because it is out of order.

WAR DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7955) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes.

Mr. FRAZIER. Mr. President, I desire to ask the chairman of the committee, in charge of the bill, in regard to the \$70,000 increase in the citizens' military training camps provision, which appears on page 63 of the bill.

Mr. JONES. Mr. President, a request was made by an organization which represents these trainees asking that about 1,000 more trainees be received at these training stations. Apparently, there has been quite an intense feeling with reference to this matter, and many applications have been made, and they have not been able to take care of all of them. This would take care of about a thousand additional trainees. For that reason, we put in that provision.

Mr. FRAZIER. One more question, Mr. President: Under the Quartermaster Corps provision, there is an increase by the Senate committee of \$24,000 which is stated to be for incidental expenses of the Army, and, in parenthesis, "employment of 16 civilians to take the place of a like number of warrant officers."

Mr. JONES. Yes. There are several warrant officers—about 16, I think, in number—who have been in the service a long time, and have reached the point where they will soon retire; and, of course, their places had to be filled by somebody else, because they were very necessary. The Quartermaster Department is very largely a business department; and on the showing by the department that there would be about 16 vacancies in the warrant officers who have been doing that work, we provided for this additional number.

Mr. FRAZIER. But I can not understand why those who take the place of these warrant officers need to be civilians.

Mr. JONES. My understanding is that they did not have in the regular force the men who they thought could fill the positions.

In another place in the bill, outside of the Quartermaster Department, there was an urgent request for about \$80,000 for, I think, 24 clerks. The committee did not grant that request. Most of the work had been done by Regular Army men, largely from private rank; and we thought that was a character of work that they could very well have done by those in the regular force, and give them the advantage of increased compensation. With reference to these special 16 warrant officers, however, the showing was such that we felt that they should have persons who were more competent than the Regular Army men, and so we provided for that increase.

Mr. FRAZIER. It seems to me that is a rather severe criticism of Army men, after their training in West Point and other military training that they get.

Mr. JONES. Oh, these warrant officers are not West Point men at all. They are men who have been in the service for many, many years, and have reached the point where they are ready for retirement, and are especially trained along business lines; because, as I said, the Quartermaster Department's work is largely of a business character. As I say, upon the urgent request of the department, and the showing that they made, we felt that we should not compel them to depend upon those that they would get from the regular ranks for those employees.

Mr. FRAZIER. Of course, I do not expect the warrant officers to be West Point men; but there are all kinds of educated men in the service who, it seems to me, might be used, without taking in civilians. May I ask what the term "warrant officer" means?

Mr. JONES. The Senator from Pennsylvania can explain that far better than I can.

Mr. REED. A warrant officer is a noncommissioned officer of very high rank, higher than the ordinary sergeant in the Army, or noncommissioned officers of the Navy. It is the highest grade which can be reached by an enlisted man.

Mr. FRAZIER. Until he gets a commission?

Mr. REED. Without a commission.

Mr. FRAZIER. That was my understanding. Of course, some of these warrant officers may have gotten up to the age limit before they get a promotion, but I can not see why there are not other men in the Army who could take the places of the men who are about to reach the age limit and retire, without taking in civilians.

Mr. JONES. The other men are already filling positions and discharging duties.

Mr. FRAZIER. Yes; but there are men being promoted almost every day in the Army from one grade to another, and, of course, there are a great many other noncommissioned officers who would be glad to become warrant officers, because, I suppose, they get a little better pay than in the regular noncommissioned work.

Mr. JONES. I have suggested to the Senator the reason why the committee took the action it did take.

Mr. FRAZIER. I had intended to ask for a separate vote on these two increases, but I do not think it is worth while. From the experience of a few minutes ago, I do not suppose it would be possible to get enough Senators to go on record on these amendments, or anything else in connection with this bill.

I want to state, however, that as to this citizens' military training camp provision the total of the appropriation as the bill now stands is \$2,884,772. It provides for the citizens' military training. It is known as the C. M. T. C.

I received in the mail the other day a very handsome little booklet, a copy of which I presume every other Senator received; a very beautiful booklet, with the President's picture, and pictures of a number of Army officers, and some civilians, with pictures of the boys playing football and basketball, boxing, and fencing and wrestling, and so forth. There was a little pamphlet along with that headed "The Gateway to Health." According to Representative COLLINS in his statement on the floor of the House on this bill on January 10, this bill carries an appropriation of \$100,000 for the printing of these pamphlets for what I would term war propaganda.

On next to the last page of this booklet, which is headed "Corporations," is this statement:

These are a few of the companies which have indorsed without qualification the citizens' military training camps.

The list starts out with Armour & Co., and I also notice the names of the Cudahy Packing Co. and Swift & Co., three of the big packers, at least, among these big corporations. I presume they sell meat to the camps, and, of course, they are interested in the training camps.

I also want to say to the Senator from Wisconsin that there are eight railroads listed here, at least eight, which are interested, perhaps, in the transportation of men from their homes to the camps, for which they are paid by the War Department.

On the back pages it is stated:

The Military Training Camp Association is a national nonpolitical civilian agency.

From some of the material sent out it would seem anything but nonpolitical. But that is the statement, that it is nonpolitical.

Mr. President, there are a number of other items in this appropriation bill which, it seems to me, are worthy of mention, but I shall not take the time to go into them fully.

One item I notice is for national rifle matches, \$500,000. That is considered necessary, I suppose, and good practice, and all

that, and yet \$500,000 in these hard times is a lot of money, even for the Government to spend. Besides that, there is another item relating to rifle training, for shooting galleries, and so forth, which carries quite an appropriation.

Mr. President, it seems to me nothing short of a crime for the United States Congress to allow an increase in this Army appropriation, in peace times, of \$2,906,502 over the past year. It is true that the estimate of the department was \$528,053 more than the amount allowed, and I can not understand for the life of me why the Appropriation Committees of the House and of the Senate cut down the amount that much below what the department asked for. I congratulate the committees of the House and the Senate for saving to the taxpayers of the Nation at least \$528,000, by which amount this bill reduces the estimate of the department.

It would seem to me that, in view of the stand this Government has taken toward world peace, the appropriations should be cut down instead of increased. It will be remembered that a few months ago the honorable Ramsay MacDonald, the Premier of Great Britain, was here and conferred with the President of the United States, and they agreed that there should be a curtailment of expenses for war purposes. Yet, in the face of all that, in face of the recent naval conference at London, and the agreement to cut down armaments to some extent, we are increasing both the Army and the Navy appropriations.

I do not want to take any more time, but it seems to me rather a sad commentary on the part of the United States Government to pass a great appropriation bill of this kind, carrying these vast amounts of money, and I am convinced that many of them should be reduced materially, and that there is absolutely no need of an increase of the standing Army at this time, for which this bill provides. Yet this measure is to be passed without any record vote, without any protest except from one or two Members of the Senate.

The VICE PRESIDENT. The bill is still as in Committee of the Whole and open to amendment. If there be no further amendment, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 165) authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8299) authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6874) to authorize exchanges of lands with owners of private-land holdings within the Petrified Forest National Monument, Ariz.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The message further announced that the House further insisted on its disagreement to the amendments of the Senate relating to matters of substance Nos. 364, 371, 885, 893, 903, 904, 1004, 1006, 1091, 1093, 1095, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1138, 1139, 1140, 1141, and 1151 to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes; also that the House further insisted on its disagreement to the amendments of the Senate of a clerical nature Nos. 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 901, 902, 905, 906, 907, 908, 909, 910, 911, 913, 914, 915, 916, 917, 919, 920, 921, 922, 923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 940, 942, 945, 946, 947, 948, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 987, 989, 992, 993, 995, 997, 999, 1002, 1003, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1031, 1032, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057,

1058, 1059, 1060, 1061, 1062, 1063, 1064, 1066, 1067, 1068, 1070, 1071, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089, 1090, 1094, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1109, 1111, 1112, 1156, 1157, 1171, and 1179; that the House agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAWLEY, Mr. TREADWAY, Mr. BACHARACH, Mr. GARNER, and Mr. COLLIER were appointed conferees on the part of the House at the further conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes; that the House had receded from its disagreement to the amendment of the Senate numbered 102 to the said bill and concurred therein; and that the House had receded from its disagreement to the amendment of the Senate numbered 98, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 389. An act for the relief of Kenneth M. Orr;
H. R. 707. An act to authorize an appropriation for construction at Fort McKinley, Portland, Me.;

H. R. 973. An act to remove the age limit of persons who may be confined at the United States industrial reformatory at Chillicothe, Ohio;

H. R. 1301. An act for the relief of Julius Victor Keller;
H. R. 1444. An act for the relief of Marmaduke H. Floyd;
H. R. 2161. An act to convey to the city of Waltham, Mass., certain Government land for street purposes;

H. R. 3527. An act to authorize credit in the disbursing accounts of certain officers of the Army of the United States for the settlement of individual claims approved by the War Department;

H. R. 4198. An act to authorize the exchange of certain lands adjoining the Catoosa Springs (Ga.) Target Range;

H. R. 5283. An act to declare valid the title to certain Indian lands;

H. R. 5726. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Salem, Mass., and to the Salem Marine Society, of Salem, Mass., the silver-service set and bronze clock, respectively, which have been in use on the cruiser *Salem*;

H. R. 6338. An act authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Togus, Me.;

H. R. 6645. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Lions Club, of Shelbyville, Tenn., a bell of any naval vessel that is now, or may be, in his custody; and to the president of the Rotary Club, of Shelbyville, Tenn., a steering wheel of any naval vessel that is now, or may be, in his custody;

H. R. 7395. An act to extend to Government postal cards the provision for defacing the stamps on Government-stamped envelopes by mailers;

H. R. 7410. An act to establish a hospital for defective delinquents;

H. R. 7413. An act to amend an act providing for the parole of United States prisoners, approved June 25, 1910, as amended;

H. R. 8052. An act authorizing the heirs of Elijah D. Myers to purchase land in section 7, township 28 south, range 11 west, Willamette meridian, county of Coos, State of Oregon;

H. R. 8368. An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada;

H. R. 8650. An act to authorize the Postmaster General to charge for services rendered in disposing of undelivered mail in those cases where it is considered proper for the Postal Service to dispose of such mail by sale or to dispose of collect-on-delivery mail without collection of the collect-on-delivery charges or for a greater or less amount than stated when mailed;

H. R. 8713. An act granting land in Wrangell, Alaska, to the town of Wrangell, Alaska;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes;

H. R. 8805. An act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field;

H. R. 8973. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Charleston Museum, of Charleston, S. C., the ship's bell, plaque, war record, and silver service of the cruiser *Charleston* that is now, or may be, in his custody;

H. R. 9235. An act to authorize the Public Health Service to provide medical service in the Federal prisons;

H. R. 9434. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg.;

H. R. 10258. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.;

H. R. 10474. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark.;

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes;

H. R. 10674. An act authorizing payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty;

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.;

H. J. Res. 188. Joint resolution authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim; and

H. J. Res. 244. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to 11, 1930, inclusive.

INTERIOR DEPARTMENT APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives receding from its disagreement to the amendment of the Senate numbered 102 to the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes, and receding from its disagreement to the amendment of the Senate numbered 98 and concurring therein with an amendment, in lieu of the matter inserted by the Senate to insert:

Yakima project (Kennewick Highlands unit), Washington: For construction, \$640,000, to be immediately available: *Provided*, That no part of the funds hereby appropriated shall be expended for construction purposes until there shall have been conveyed to the United States title to the Prosser Dam and the right of way for the Prosser-Chandler power canal free of all prior liens and satisfactory to the Secretary of the Interior: *Provided further*, That all net revenues received from the disposition of power not required for pumping water for the irrigation of lands in the Kennewick irrigation district shall be applied, first, to the payment of the construction cost incurred by the United States in connection with the Kennewick Highlands unit, including the power plant and appurtenances until said construction cost is fully paid; and thereafter to retire the obligations incurred by the said district in the purchase of the said dam and right of way: *And provided further*, That title to, and the legal and equitable ownership of the power plant and appurtenances constructed by the United States pursuant to this appropriation shall be and remain in the United States, and all net revenues therefrom shall go to the reclamation fund after payment of aforesaid construction cost and retirement of said obligations.

Mr. JONES. I move that the Senate agree to the amendment made by the House to the amendment of the Senate numbered 98.

The motion was agreed to.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States making sundry nominations, which were referred to the appropriate committees.

THE SILVER SITUATION

Mr. ODDIE. Mr. President, because of the serious economic crisis in the silver-mining industry, I wrote to the Hon. Robert P. Lamont, Secretary of Commerce, on January 10, 1930, requesting the cooperation of the department in developing information which would be helpful in this connection.

The Secretary responded on January 18, outlining the work which the department had initiated along these lines, and I have just now received some interesting and valuable information on the price of silver. I submit these letters to which I

have made reference and the accompanying information for the RECORD, as I am sure that the material will be of great service to the conference committee in considering the question of a duty on silver which it is now considering and the amendment providing for which was introduced by my colleague, Senator PITTMAN, and passed by the Senate by a large majority.

Never has the price of silver been so low as in recent months, and the silver-mining industry has never so greatly needed assistance. When it is realized that a very large percentage of the silver produced in the United States is derived from ores containing also copper, lead, and zinc, the adverse economic conditions in the silver market become even more important as a factor in national economy.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., January 10, 1930.

HON. ROBERT PATTERSON LAMONT,

Secretary of Commerce, Washington, D. C.

MY DEAR MR. SECRETARY: It has become very necessary that strenuous efforts be made toward securing new uses and markets for silver produced in the United States. The price of this metal has recently dropped to such low levels that the silver mines in the State of Nevada and elsewhere in the United States may be obliged to discontinue operations. Furthermore, as silver is a by-product in many of the gold, copper, lead, and zinc mines in the United States the decline in price will have a far-reaching effect on the whole mining industry. There is thus a danger facing the industry which will be reflected in the combined industries of our country, and the problem of employment will be seriously retarded unless some constructive measures are taken.

In order to uphold the hands of the President in his efforts to speed up production and maintain employment at a high level, it will be necessary that drastic action be taken to prevent the serious and far-reaching damage that will result from a continued decline in the price of the white metal.

Because of my confidence in the ability of the Department of Commerce in matters of this kind, and because of its magnificent record in the past in assisting in such emergencies, I feel sure that you and your able assistants will find a timely solution.

Very sincerely yours,

TASKER L. ODDIE.

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, January 13, 1930.

HON. TASKER L. ODDIE,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I have your letter dated Washington, D. C., January 10, regarding silver.

I am much in sympathy with your desire to maintain silver mining activities unimpaired, but, as we both realize, the price of silver must eventually be determined through the operation of economic laws which may be thwarted only temporarily, if at all. It would seem that the price of silver can be raised only through decreasing production or increasing consumption.

The relative prosperity of base-metal production would appear to be a contributing cause of the present large silver production and low silver price, since possibly 65 per cent of the silver production of the United States is made in conjunction with base-metal production that will continue without regard to the price of silver. The balance of silver production is nearly all closely related to gold production or else to base-metal production wherein the price of silver is of vital importance. This close association of silver production with the production of other metals would appear to make production control impracticable, though a lowering of price, not only of silver but of copper, lead, or zinc with which silver production is associated, will always tend to eliminate some marginal production.

As to increasing consumption, the most difficult problem at present is absorption of silver made available by decreased consumption in India. This decrease can not be controlled.

You will recall that in 1924 the Bureau of Mines, in response to a similar request from you, undertook investigations looking toward the possible discovery of new uses for silver. A progress report on these investigations was made as part 7, of serial 3, in the "Gold and Silver Statistics," published by the Commission of Gold and Silver Inquiry, United States Senate, of which you were chairman. These investigations were continued in cooperation with the Bureau of Standards. One of the results is Technologic Paper No. 384, just issued, entitled "Tarnish Resisting Silver Alloys." The Bureau of Mines also published papers on the use of silver fulminates. Copies of these publications are being forwarded to you under separate cover. Benefit from such suggestions, however, requires follow-up by the industries and increased consumption due to new uses is generally slow.

The Bureau of Mines has just sent to the printer an economic paper entitled "Summarized Data of Silver Production," in which I think you will be deeply interested. A notation has been made to furnish you a copy of this document when it is released.

Very sincerely,

R. P. LAMONT.

[Inclosure]

THE PRICE OF SILVER

FOREWORD

During the past few years much concern has been expressed in various parts of the world over the constantly sinking price of silver. The present decline, which set in during the first half of 1928, is only a continuation of a greater one from the comparatively high levels of 1925. By March 1, 1930, the price of silver reached 40½ cents per fine ounce, the lowest price on record.

The decline is of interest not only to American producers of silver, both at home and abroad, but also to Americans engaged in trade with the silver-producing and silver-using countries. For a time it was hoped that China, a major silver-using country, would soon be able to effect financial reorganization, but in view of the slump in silver the realization of that hope may again be delayed. Mexico has been hard hit by the decline; Canada, an important silver producer, is also concerned. The present low silver price is an impediment to the recently initiated currency reform in India. Moreover, producers of copper, lead, and zinc normally derive a portion of their profits from silver; the loss of their profits affects not only those producers, but, eventually, everyone who in any way uses copper, lead, or zinc.

The instability of the price of silver has long been a disturbing influence in international trade. In the case of silver-using countries, it often subjects profits of foreign trade to partial and even complete depletion. Because of this fact, trade with those countries is frequently reduced to a speculative basis. Another unfortunate effect is that commodity prices within a silver-using country must be readjusted frequently, especially where foreign trade is an important part of the country's business.

Silver has been discarded as a standard of monetary value in the principal countries of the Occident, while in the Orient, India, Siam, the Straits Settlements, the Netherlands East Indies, and the Philippines have all pegged their currencies to gold. Recently Indo-China linked its piastre to the French franc, while Persia and Hong Kong are both considering the advantages of the gold standard. Japan, as early as 1897, went on the gold standard, extending its currency system to Taiwan and later to Chosen.

The following exposition of the factors which determine the price of silver emphasizes that silver is a commodity. The study was prepared in the Finance and Investment Division of the Bureau of Foreign and Domestic Commerce under the direction of Ray Hall, acting chief. That division will be pleased to give its attention to inquiries on the subject.

WILLIAM L. COOPER,

Director Bureau of Foreign and Domestic Commerce.

APRIL, 1930.

THE PRICE OF SILVER¹

By Herbert M. Bratter, Finance and Investment Division

(Charts omitted)

When the price of silver evinced a steady decline during 1929 from 57½ cents per fine ounce early in January to 46½ cents on December 30, and early in 1930 recorded a new low level for all time, the attention of the world was once again focused on the unruly metal. Silver is the principal medium of exchange and store of value in the most heavily populated continent, Asia.² In other parts of the world it is widely employed for subsidiary coinage, and it is almost as old as history in its use in the arts. While a decline in the price of silver is sufficiently disturbing to China and India, and to the countries which trade with them, the habitual instability of silver is even more generally disturbing. For example, Mexico, a country in which Americans are estimated to have invested \$1,400,000,000, is the chief source of the world's silver; in 1929 it produced 105,000,000 ounces, or almost 41 per cent of the world's output. The stabilization of silver would be a boon to traders the world over, but the metal will probably continue to play its historic rôle of "prince and pauper."

CAUSES OF PRICE FLUCTUATION

Changes are constantly taking place in the production of and the demand for silver. It is the interplay of those two factors, of course, which determines the price of silver. When an important country like India or Great Britain "demonetizes" a portion of its silver coinage, it both adds to the supply of silver and lessens the demand for silver, and thus doubly depresses silver prices. When a new or growing demand appears, such as for the manufacture of film, temporarily or permanently, that tends to raise silver prices. Silver "consumed" in manufacture, however, usually finds its way back to the market sooner or later. That, in fact, is the case with almost all silver used. "Silver is practically indestructible," stated Arthur Notman, mining engineer and geologist, before the Royal Commission on Indian Currency and Finance in 1926.³ "Presumably the great bulk of all the silver that has

¹ The Bombay Bullion Market, Trade Information Bulletin No. 457, was published by the bureau in 1927.

² According to Commerce Yearbook, 1929 (Vol. II, p. 696), the population of India and China together—761,000,000—is over 39 per cent of the world's total population—1,949,000,000.

³ See the report of that commission, Vol. III, p. 555.

been produced since the beginning of time is still in existence in one form or another. Most of it, however, is performing no essential service."

Relation to prices of other commodities

It is a startling fact that silver prices in New York averaged \$0.51 in 1915, \$1.12 in 1919, and \$0.63 in 1921. What is generally overlooked is the fact that silver is a commodity, pure and simple, and that its price throughout the world is its evaluation in gold, just as is the price of copper or corn; and it is well known that the value of gold fluctuates markedly from year to year—in other words, that its purchasing power varies greatly from time to time. It is, therefore, obvious that, other things remaining unchanged, the price (in gold) of any given commodity must reflect such fluctuation. Of course, it must also reflect the relationship of that commodity to the price of all other commodities or goods. It is possible to show that prices are determined in part by variations in the quantity of gold, or the quantity of goods, or in the demand for gold or the demand for goods; prices are but the point where these factors meet.

Since silver is a commodity, and since commodity prices fluctuate, silver prices and commodity prices should, broadly speaking, move in unison. That they do is clearly demonstrated in Chart A (chart omitted). In that chart the upper curve represents the index number of wholesale prices in the United States since 1914 as compiled by the Department of Labor (1926=100); that curve shows the value of the commodities in general. The lower curve shows the changes in the price of silver since 1914. Both wholesale commodity prices and the price of silver increased markedly during the World War, dropped precipitately in 1921 and 1922, and thereafter moved in the same general direction. In the graph one unit vertically represents both a change of 1 unit in the index number and of 1 cent in the price of silver; in other words, the movements of the two curves are fairly comparable.⁴

Index numbers, as is well known, represent a weighted average of commodity prices; any single commodity going to make up the average will probably show frequent deviations therefrom. It is not surprising that minor deviations from the mean are revealed in silver price movements. As is the case with any other commodity, silver is subject to its own peculiar influences, which may have no visible effect on prices of other commodities. Thus the average of silver prices for September, 1917, when the price level of 1878 was for the first time regained, was considerably ahead of the general trend of silver in 1916-1918 and also was ahead of the wholesale commodity price trend. This was due to speculation, an embargo on silver exports in the United States, Japan, and other countries, and to other causes. The market soon became top heavy and prices receded.⁵ Similarly, the steep decline in 1920 was, for a while, halted when Pittman Act purchases at \$1 per ounce commenced to be made in October of that year.

Another type of divergence between the two curves is the decline of silver prices early in 1920,⁶ before the general commodity price decline set in, and the rise in 1921 prior to a rise in the general commodity price level of the United States. These divergences may, in a general way, be explained by the fact that silver prices are more sensitive to world-wide influences than are commodity prices within, say, the United States, just as wholesale commodity prices are more sensitive to changed conditions than are retail prices; but with the difference that silver is ultrasensitive. A closer inspection of the two curves reveals that since 1925 silver prices have tended to decline further than have commodity prices, especially so in 1925-26 and 1928-29. It is the latter declines which have caused the recent commotion in the silver trade.

Supply and demand

There are innumerable factors which go to determine silver prices. Some of these are temporary in nature; some are more lasting in effect. In general, prices are determined by supply and demand. Here it is important to remember that, although silver is practically indestructible, silver which has been "consumed" by mints for coinage purposes and by the arts and industry ceases to be a factor in silver prices until it returns to the market, although it may well remain a potential factor. The silver which the people of India, China, and Central Africa have made into ornaments or put away as a store of value is off the market. On the other hand, the existence of large stocks of silver in the vaults of the Indian Government, which is following a policy of selling the bulk of that silver, is a factor more than potential. This threat to the market has repeatedly cast its shadow on silver prices.

Among the more important factors affecting silver prices are the following: The production of new silver; the return of old silver from

debased or demonetized coins or from the arts; the sale of silver from hoards, inspired largely by the price of silver; and the demand for silver from the two largest "consumers"—China and India—as affected by favorable or unfavorable crop conditions, internal unrest, famine, public finances, and pure sentiment.

PRODUCTION OF SILVER

"By-product" silver

New silver is produced almost entirely in conjunction with other metals. Although silver in dry and siliceous ores is so spoken of, a pure silver ore can not be said to exist. Silver is generally found with lead, copper, lead-zinc, gold, and complex ores. A mine may be said to be a straight silver mine if the larger part of its income is derived from its silver product. According to this somewhat inexact classification, since the value of the metals produced by a mine vary with the prices of those metals, a mine may at one time be a silver mine and, when prices change, may become a lead or a zinc mine. Certain marginal producers of silver and copper, lead, or other metals may be in a position to continue production only so long as a maintenance of silver prices enables them to derive part of their profit from the silver product of their mines. Silver, in fact, determines the net profit of such producers, who find themselves losing money if silver drops below a certain price. Such marginal producers must either resort to intensive, selective mining, which is more costly, or suspend operations. On the other hand, as silver is to a large extent a by-product in the case of the large producers of certain metals indispensable to industry, it will continue to be mined by them almost regardless of silver prices.⁷ As more and more the important copper, lead, and zinc producers find their profit eaten away by declining silver prices, those producers, if they are not to withdraw from business, must inevitably attempt to increase the price at which they sell their copper, lead, and zinc. Thus, were the Indian Government to sell its \$389,000,000 worth of silver⁸ (held in the currency reserve in December, 1929) within a short space of time, not only would the consequent depression of the silver price mean a loss⁹ to the Indian Government but it would mean a very ponderable loss to world producers of silver, lead, copper, zinc, and other metals.

Effects of silver price on other metals

For example, the effects of a decline in the price of silver to 35 cents per ounce, or less, were estimated by H. H. C. Jenison, consulting engineer at the hearings of the Royal Commission on Indian Currency and Finance in 1926, as follows:¹⁰

"Copper: The decrease to 35 cents or less per ounce of silver would, in all probability, result in an increase in the price of copper of about 2 cents per pound, a loss of some \$600,000,000 invested in the copper-silver mines of the West, replacing of their production by foreign production, and the loss of five to ten thousand million pounds of metal contained in the ore reserves of these mines, which could not be successfully operated under such conditions.

"Lead mines: The result of such a decrease in the price of silver, so far as lead is concerned, would, in all probability, be primarily and principally that of increasing the price of lead about 3 cents per pound and making the silver-lead mines of the West marginal producers, thus rendering it impossible for them to earn interest on the investment or to recover the outstanding investment.

"Zinc mines: The decrease in the price of silver to about 35 cents per ounce or less would probably be reflected merely in an increase in the price of zinc of 1 or 1½ cents per pound, the loss of part of the zinc reserves of the West, and the more rapid exhaustion of the comparatively short-lived reserves of the Central States.

"Complex lead-zinc ores: Until the increase in the price of lead and zinc offsets the loss of the value of silver, the necessary production from the complex lead-zinc ores would be cut off and their general availability be postponed and increased in cost."

One of the effects of a permanent decline in the price of silver is to encourage economies in production, metallurgical improvements, and inventions by important producers of copper, lead, and zinc. This greater efficiency tends to maintain the volume of silver production by making it more than ever a by-product of such producers. A balancing tendency, however, is probably to be found in the freer use of silver in the arts and in the application of silver to new uses previously not possible because of the price.

⁴And in increasing amount, as pointed out by Mr. Notman, in his statement published in the report of the Royal Commission on Indian Currency and Finance, Vol. III, p. 554.

⁵Compare this sum of \$389,000,000 with the total production of new silver in 1929, \$150,800,000. Including the silver in the currency reserve, \$371,000,000 in 1928, the monetary stock of silver in India, as estimated for the end of 1928, was worth \$1,671,000,000 (U. S. Mint Report, 1929, pp. 186 and 231). In his Indian Finance and Banking, G. Fridley Shirras estimated that in 1919 India had a total silver stock of 3,729,000,000 ounces. At an arbitrary value of \$0.50 per ounce this stock would be worth \$1,864,500,000. A statement on p. 35 of Trade Information Bulletin No. 457, The Bombay Bullion Market, indicated a total silver stock in India in 1916-1920 of about 4,000,000,000 fine ounces. At \$0.50 per ounce this would be worth \$2,000,000,000. E. Kann, writing in Finance and Commerce (Shanghai) of Jan. 22, 1930, estimated India's stock of silver at 4,300,000,000 ounces and China's at 1,000,000,000 to 1,500,000,000 ounces.

⁶This loss India could perhaps partly recover by investing the gold proceeds of the sale.

¹⁰Op. cit., p. 567.

⁴The average commercial ratio of silver to gold during each calendar year from 1687 to 1928 is given in the 1929 report of the Director of the Mint (p. 123). See also the table on the bullion value of the silver dollar, 1837 to 1928 (p. 124).

⁵The fluctuations of silver in 1917 were the largest in history, exceeding those of 1876. In 1917 there appeared increased demand from Latin American countries for coinage purposes, while England in 1916 and 1917 consumed 85,000,000 ounces for coinage.

⁶The specific causes of the 1920 decline in silver are discussed below.

United States silver production

In view of these factors it is of interest to Americans to analyze the sources of silver produced in the United States. Figures given in the Annual Report of the Director of the Mint for the fiscal year ended June 30, 1929 (p. 37), and in Gold and Silver in 1927 (p. 628), by J. P. Dunlop of the Bureau of Mines, show that in 1926 dry and siliceous ores (the most nearly pure silver) furnished 21.71 per cent of the total United States silver production, and that complex and other ores accounted for 78.29 per cent. In 1927 the proportions were 19.75 per cent and 80.25 per cent, and in 1928 they were 19.35 per cent and 80.65 per cent. It must be remembered that, even in the dry and siliceous ores, silver is found with other metals.

In general, those ratios may be said to apply to all North American production, which in 1928 constituted over 73 per cent¹¹ of the world production. Therefore, at least 80 per cent of 73 per cent—or at least 58 per cent—of the world production can safely be said to be produced in some measure as a by-product.

Taking the 1927 total production of silver in the United States (Philippine Islands excluded), 59,625,682 ounces, we find that only 11,775,384 ounces, or less than one-fifth, came from dry and siliceous ores; 47,850,298 ounces, or over four-fifths, came from other ores, such as lead, copper, lead-zinc, and the like. The relative importance of the various individual ores in the production of silver appears in the following analysis of the 1927 figures taken from the Bureau of Mines, Mineral Resources, 1927. (Pt. I, p. 628.)

	Millions of fine ounces
Dry and siliceous ores.....	11.78
Lead ore.....	15.76
Copper ore.....	14.56
Lead-zinc ore.....	13.62
Copper-lead and copper-lead-zinc ores.....	2.17
Zinc ore.....	1.69
Placers.....	.05
Total.....	59.63

Trend of production

An examination of total world production figures shows that, although prices have for some years been declining, there has been no let-up in production. Since 1921, in fact, silver production has, with minor exceptions, steadily increased. That of the United States—the second largest producer—has been fairly constant; that of Mexico—the largest single producing country—has increased somewhat. But, since much of Mexico's silver production is mined or purchased by Americans, the United States is very much interested in the Mexican silver situation. In 1928 Mexico produced an estimated 108,500,000 ounces of silver which, at 58.488 cents per fine ounce, was worth approximately \$63,459,480. During the same year the United States imported from Mexico silver valued at \$45,191,042,¹² which was equal to over 71 per cent of Mexico's production that year. As stated in Mineral Resources, 1927 (Pt. I, p. 604), "Most of the world output of silver is produced or refined in the United States, but a large part of it is consumed in Europe, India, and China."

The largest producers, after Mexico and the United States, are Canada (21,936,407 ounces in 1928), Peru (21,607,693 ounces), New South Wales (9,055,241 ounces—all Australasia produced 10,308,866 ounces), and British India (7,425,810 ounces). Japan also produces considerable quantities (4,531,543 ounces in 1927). The production of new silver since 1914 is shown in Chart B (chart omitted), and the table following:

World production of silver since 1914
(In millions of fine ounces)

Year	United States*	Mexico	Canada	Peru	Australasia	Total world production
1914.....	72.5	26.0	28.4	9.2	11.0	172.3
1915.....	75.0	22.9	26.6	9.5	9.3	173.0
1916.....	74.4	29.8	25.5	10.8	10.7	180.8
1917.....	71.7	42.0	22.2	10.9	10.0	186.1
1918.....	67.8	62.5	21.4	9.8	9.9	203.2
1919.....	56.7	65.9	16.0	9.8	7.2	179.8
1920.....	55.4	66.7	12.8	9.2	2.7	173.3
1921.....	53.1	64.5	13.1	10.0	5.4	171.3
1922.....	56.2	81.1	18.6	13.2	11.5	209.8
1923.....	73.3	90.9	17.8	18.7	13.8	246.0
1924.....	65.4	91.5	19.7	18.7	10.8	239.5
1925.....	66.2	92.9	20.2	19.9	10.8	245.2
1926.....	62.7	98.3	22.4	21.5	11.2	253.8
1927.....	60.4	104.6	22.7	18.3	10.3	254.0
1928 ^c	58.4	108.5	21.9	21.6	10.3	257.3
1929 ^d	61.0	105.0				256.5

* Includes Philippine production.

^b Includes, for New South Wales, an estimate of 9,000,000 ounces based on previous years' production.

^c Subject to revision.

^d Handy and Harman: Review of the Silver Market for 1929, p. 20.

Source: Annual Reports of the Director of the Mint for the fiscal year ended June 30, 1929 (pp. 38 and 234-9), and previous years. The figures include corrections of earlier estimates as given in the 1925 Annual Report, p. 233.

¹¹ This was pointed out by Mr. Notman in the report of the Royal Commission on Indian Currency and Finance, Vol. III, p. 557.

¹² Annual Report of the Director of the Mint for the fiscal year ended June 30, 1929, p. 55.

Relation of production to prices

In order to illustrate the relation of production of new silver, the debasement and demonetization of silver coins, and the sale of Indian Government silver, Chart C (chart omitted) has been prepared. It shows silver prices, the production of silver, and the sale of other supplies of silver (so far as estimates are available) since 1914.

During the years of the World War and immediately following, silver prices reflected general commodity prices as well as the scarcity of the metal in Asia, but after the war silver prices reflected both the total supply of new silver thrown on the market and supplies made available through monetary debasement and demonetization. In December, 1920, the United Kingdom debased its silver currency from a fineness of 0.925 to 0.500. Certain other countries followed suit in 1921. In the past year, according to estimates, the sales of the Indian Government have become the most important source of "other supplies." It is unlikely that such supplies will be exhausted for some time to come.¹³

Comparing the curve which represents the total of new silver produced plus old silver returned to the market, it immediately becomes evident that a very close inverse relationship exists between total supply and prices; thus, with total supplies increasing, and with demand ostensibly remaining fairly constant, prices have declined. The following are the revised estimates of "other supplies" taken from the annual reviews of Handy and Harman:

Estimates of "other supplies" of silver sold on the market
(In millions of fine ounces)

Year	Debasement of British coinage	Demonetized European coins	Sales by Indian Government	Total
1920.....		18.0		18.0
1921.....		31.0		31.0
1922.....	24.0	19.0		43.0
1923.....	25.0	20.0		45.0
1924.....	2.0	18.0		20.0
1925.....	7.0			7.0
1926.....	.7			.7
1927.....	1.2	8.0	9.2	18.4
1928.....	5.5	32.0	22.5	60.0
1929.....	10.0	10.0	35.0	55.0

Source: Handy and Harman, annual reviews.

DEMAND FOR SILVER

The demand for silver is centered in China and India, since other countries are evincing less and less interest in the white metal. As estimated by Handy and Harman, out of new silver and "other supplies" totaling 311,500,000 ounces, in 1928 India took 81,800,000 and China 136,700,000 ounces. The two together accounted for over 70 per cent of the total demand.¹⁴

Let us consider their imports of silver from the United States. Allowing for their exports of silver to the United States (China \$444,197 worth and India \$886), and disregarding American silver exports to Hong Kong, the figures which follow show that in 1928, of \$87,400,000 of silver exported and reexported by the United States, \$78,700,000, or 90 per cent, went to China and India. Not only did China and India thus take from us much more than our entire domestic production, which was 58,400,000 ounces in that year, but they took from the United States alone over one-half the total world production in 1928.

Silver exports and reexports of the United States in 1928
(In millions of dollars)

Item	To China	To India	To all countries
Exports.....	39.0	19.4	64.3
Reexports.....	19.1	1.2	23.1
Total.....	58.1	20.6	87.4

Source: Annual Report of the Director of the Mint for the fiscal year ended June 30, 1929, pp. 49 and 53.

According to the Annual Report of the Director of the Mint for the fiscal year ended June 30, 1929 (p. 236), the value of the total world production in 1928 was \$150,832,000—257,300,000 fine ounces at the average London price of 58.627 cents.

Below are shown the latest available figures on the silver imports of China and India. They show that India and China together imported a net sum of \$117,330,000 worth of silver during 1928 (local valuation), or over 77.8 per cent of the world's production in that year. It was just shown that the larger part of this, \$78,700,000, came from the United States.

¹³ Cf. The Statist (London), Jan. 11, 1930, p. 54.

¹⁴ Over 70 per cent of the total quantity and over 77.8 per cent of the total value.

Net silver imports of China and India in 1928

Country	Net silver imports, in millions of local currency	Average rate of exchange in 1928 ¹	Equivalent in millions of dollars
China.....	106.40 haikwan taels.	\$0.7100	75.54
India.....	114.60 rupees.....	.3647	41.79
Total.....			117.33
Total value of 1928 world production (as above).....			150.80

¹ Commerce Yearbook, 1929, Vol. II, pp. 170 and 356.

DETERMINANTS OF ASIA'S PURCHASES

The ability of China and India to purchase silver from abroad depends largely on their balances of international payments. No accurate estimates are available covering the invisible exports of either country; investigation is, accordingly, limited to the visible trade. When their exports of merchandise increase, it is to be expected that their imports of silver will increase. Those two countries (notably India) also import gold, at times showing a momentary preference for the latter metal. In the following analyses (Charts D and E, charts omitted) covering the period from March 31, 1914, to 1929 in the case of India and the calendar years 1914 to 1927 in the case of China, comparisons have been made between total net imports of treasure (gold and silver combined) and net exports of merchandise.

China shows a constantly adverse visible balance up to 1917, with an excess of exports of treasure. In the years following 1917, the invisible exports improved sufficiently to enable China to import treasure on net balance. The total of gold and silver imported during the period covered by the chart reached its apex in 1919. This heavy demand from China naturally enough coincided with the great increase in silver prices. When silver dropped in 1920 and 1921, China's imports of gold and silver also dropped in value.¹⁶ In general, there is a very close correspondence in the movement of merchandise exports and treasure imports.

China's foreign trade in merchandise and precious metals
(In millions of dollars)

Year	Net excess of merchandise exports (+) or imports (-)	Net imports (+) or exports (-) of gold and silver
1914.....	-142.7	-17.8
1915.....	-22.1	-22.2
1916.....	-27.3	-13.3
1917.....	-89.2	-12.5
1918.....	-86.9	+28.3
1919.....	-22.5	+131.1
1920.....	-273.6	+63.2
1921.....	-231.7	+12.1
1922.....	-240.8	+36.3
1923.....	-136.4	+48.2
1924.....	-139.6	+13.2
1925.....	-144.1	+51.6
1926.....	-197.5	+34.7
1927.....	-65.1	+44.0

In the case of India a similar relationship is evident, with the exception that, while China's visible balance is usually unfavorable, India's visible balance of trade is usually favorable.

India's foreign trade in merchandise and precious metals
(In millions of dollars)

Year	Net excess of merchandise exports (+) or imports (-)	Net imports (+) or exports (-) of gold and silver
1914-15.....	+142.6	+54
1915-16.....	+205.8	+12
1916-17.....	+305.8	+103
1917-18.....	+301.8	+145
1918-19.....	+299.7	+220
1919-20.....	+524.1	+277
1920-21.....	-263.8	+29
1921-22.....	-55.1	+32
1922-23.....	+242.2	+177
1923-24.....	+412.8	+147
1924-25.....	+502.6	+312
1925-26.....	+581.0	+190
1926-27.....	+283.2	+142
1927-28.....	+286.8	+116
1928-29.....	+305.4	+113

¹⁶ It is to be noted that the local customs valuations, and not the quantities, of imports are shown in Charts D and E.

One of the most important factors in China's silver purchases is the civil warfare which has disrupted the country for a decade and more. This has a twofold effect on the price of silver: (a) It creates a demand for silver for military expenditures and causes privately held silver to go into hiding or be sent to the treaty ports for safe-keeping, which tends to raise the price of silver; (b) the military funds, to some extent, go abroad for supplies, munitions, etc., which tends to depress the silver price through the exchange market. A further depressing influence is the curtailment of production with a consequent lessening of purchasing power. Large floods and famines, to which China has been frequently subject, are also reflected in a lessened demand for silver. The effects of warfare on the world silver market were evident most recently in 1929 at the time of the Sino-Russian dispute over the Chinese Eastern Railway. This dispute, as it became more serious, was a "bull" factor in June, July, and August. The approaching settlement of the dispute acted as a "bear" factor in October. Simultaneously, of course, the continuous civil warfare made itself felt.

India, while subject to occasional political disturbances, is not open to the same sort of destructive fighting as is China. India's power to purchase silver is most affected, under normal conditions, by the monsoon, the wind which Marco Polo startled Europe by describing as blowing one way half the year and the opposite direction the remainder. The southwest monsoon, coming from the sea in September, brings indispensable rainfall to the cereal and seed-growing areas of the south and west of India, while the return monsoon, in December and January, not yet drained of moisture, brings invaluable rain to the wheat-growing regions of northern India, the rice fields of Burma and Bengal, the jute areas and the cotton fields of Bombay, and later of the Madras Plateau. The southwest monsoon has two branches, the Arabian Sea monsoon and the Bay monsoon. The monsoons move in waves, each successive wave bringing rainfall farther and farther. The success of the monsoon becomes evident by September, at which time it is reflected in silver prices.

The favorable monsoons over a 4-year period ending in 1925 increased India's purchasing power and acted as a stabilizing influence on the price of silver. Note, in Chart A, the peaks in the silver course in the latter parts of 1924 and 1925. In 1926 India's unfavorable trade was reflected in a lower silver price.

As with China, political disturbances in India occasion hoarding. Such disturbances were the chief cause of the rise in the price of silver in 1922. They stimulate not only hoarding but also "bull" speculation.

A discussion of the relationship between crop seasons, the Hindu marriage season, and other events, and silver purchases by India will be found in Trade Information Bulletin 457, The Bombay Bullion Market, from which the following is taken:

"In view of the fact that India's imports of bullion are so intimately connected with its merchandise export surplus—an export surplus accounted for by heavy shipments of agricultural products—it is quite natural that the crop seasons should have considerable influence on the demand for bullion from month to month, and that there should be a marked seasonal fluctuation in the bullion trade. When the ryots (peasant farmers) of India are in funds from the sale of their crops they are in a position to invest in gold and silver. Just before planting time, when they are buying seeds and equipment, and during the growing season they have little to spare, and the demand for bullion subsides markedly.

"One other factor enters into the seasonal demand for bullion, however, and it is a most important one. This is the Hindu marriage season, which comes in May, a month considered exceptionally favorable for marriages. As many as possible take place at that time, and the season generally is one of festival, when everyone is anxious to appear at his best. The result is a marked increase in the consumption of gold and silver for use as ornaments, particularly in view of the fact that every bride, however poor, receives some kind of a dowry of gold and silver ornaments. Bullion dealers, banks, and importers prepare in advance to meet the demand which is sure to make itself felt at this season, and there is generally a period during the first few months of each year when a marked increase in the imports of bullion occurs."

The Indian Government has been an important factor in the silver market since 1926 as a result of committing itself to a policy of selling silver whenever the price seems advantageous. In so doing the Indian Government has announced that it will try to avoid depressing the price of silver inordinately. The last report of the controller of the currency of India, that for 1928-29, stated: "Government announced that they were selling silver from the paper currency reserve . . . but any fear that the Government of India might dislocate silver prices by immoderate or inopportune sales has been dispelled by the transactions of the previous year, so that the announcement had no weakening effect on prices." It is quite certain, however, that the sales of silver by India not only must depress the price but actually do depress it and are discounted by the silver market. Silver prices dropped in the latter part of 1925 and in 1926 largely in anticipation of the publication of the report of the Royal Commission on India Currency and Finance, although other factors

were also important; for example, the unfavorable conditions in India and China, the sale of silver in London by the Bank of France and by Shanghai, speculation in the yen, and strikes and boycotts.

MISCELLANEOUS PRICE-DETERMINING FACTORS

Arbitrary governmental measures are important in a consideration of silver prices. This was especially true during the war and post-war years. The year 1924 was the first postwar year when economic forces were free to determine the course of silver.

Among the war-time measures was the Pittman Act, passed by the United States in order to make possible shipments of silver to India for British account. The act, passed by Congress on April 23, 1918, had a stabilizing effect on prices for some months in 1918 and 1919, during which period American silver dollars were melted and sold at, roughly, \$1 per ounce. The act provided for the replacement of 208,900,000 fine ounces of silver from the product of American mines, at \$1 per ounce; it also provided for the melting of silver dollars to supply the demand for subsidiary silver money in the United States.¹⁸ Purchases of silver under the Pittman Act commenced in June, 1920.

An example of the sensitivity of the price of silver occurred in 1928, when a rumor circulated that France would have to buy silver for her coinage program. Although the rumor was erroneous, it bolstered the market for a short period.

Other factors influencing silver prices are the opening of new mines (such as Comstock lode, Broken Hill, Cobalt), steps toward currency stabilization in silver-using countries resulting in added confidence in their paper money, new coinage laws, public finances as reflected in taxation and foreign borrowings, and the latter as reflected again in foreign exchange quotations, changes in the balance of international payments due to overseas investments, immigrant remittances and the like, changes in the supply of and demand for copper, lead, and zinc, and strikes, shipwrecks, and other events occasioning a temporary shortage of silver by delaying delivery. Speculation, although by nature a temporary influence on the market, is at times rather important.¹⁷ Warfare in Mexico has in the past affected production and prices. In China a period of peace and industrial progress, raising the volume of production and the standard of living, may have a marked effect on silver.

RECENT PRICE FLUCTUATIONS

Rise in 1915-1920

During the war the world-wide preference for hard money and the flight of gold were major factors in raising the price of silver. The constantly rising level of commodity prices and the stimulated industrial activity were other strong factors in augmenting the demand for silver money.

During the first seven months of 1914 the silver market had been steady. The swift approach of the crisis arrested demand, and the price sank rapidly after May. Quotations for future delivery became impracticable at the end of July, and because of the desirability of restricting credit as well as the impossibility of guaranteeing delivery were discontinued. Some coinage demand arose in neutral countries, but business with Germany ceased in London, Indian demand disappeared for a period of nine weeks, and the demand from industry was naturally interrupted. Later in the year neutral producers of silver hurried supplies into the market.

In November, 1915, it was learned that silver stocks in London were much smaller than had been thought. This stimulated interest in silver for its speculative possibilities, with the result that the price mounted.

The embargo on gold and silver exports from European countries forced India, then enjoying a prosperous trade, to meet the domestic demand for rupee coins and bar silver from the currency reserves kept in India. These progressive additions to the country's metallic currency increased the world demand for silver and raised its price, as did also war risks in the Mediterranean, which made silver harder to get to India. The demand for rupees was greatly augmented because of the large military expenditures in India, Mesopotamia, Egypt, and East Africa, all of which then used Indian currency.¹⁹ By August, 1917, the silver value of the rupee exceeded its exchange value.

The United States Government having fixed the price of silver by the Pittman Act of 1918, the price in New York remained constant at \$1.011 from September, 1918, to April, 1919. On May 5, 1919, the Government announced the removal of the official maximum price and restriction on silver exports. On May 9, similar action was taken by the British Government, trading in future silver was resumed, and—with a strong demand from China—the price moved up.

¹⁸ The 1929 report of the Director of the Mint gives in a footnote on p. 95 the number of dollars melted under the Pittman Act—259,121,554 for the export to India and 11,111,168 for domestic subsidiary coin.

¹⁷ An unusual example of the effect on prices of speculation—pointed out by Benjamin White in *Silver, Its History and Romance*, p. 239—occurred in 1910. From July 2 to Aug. 2, and again from Nov. 7 to Dec. 20, severe "squeezes" for delivery in London were engineered by cornering spot supplies.

¹⁹ During the war England spent in India something like £240,000,000 on war supplies. The demand from outside India (according to White, op. cit., p. 301) often called for 30,000,000 rupees (about 10,000,000 ounces) a month.

Collapse in 1920-21

The 1920 collapse in the price of silver, while occurring just prior to a general collapse of commodity prices the world over, was precipitated by several events. In 1919 the monsoon in India was poor and India's balance of trade was unfavorable. The Indian Government ceased buying silver. Paper rupees began to replace silver. In November the United States Government decided to sell silver dollars for gold, exporting the silver in the form of bars. China, also, which for two or three years had been replenishing its silver stocks, ceased buying. A famine in China early in 1920 aggravated the situation; China's exports were dull. Silver having reached the highest price on record in London, 89½d., on February 11, the United Kingdom, to prevent the illegal melting of its silver coins, whose intrinsic value then exceeded their face value by over 33 per cent, passed on March 31, 1920, a law reducing the silver content of the subsidiary coins from 0.925 to 0.500 (effective the following December).

On June 1, 1920, the United States, as already mentioned, began to purchase silver under the Pittman Act, and silver recovered slightly until August.²⁰ The continued sale of European silver coins, however, remained a depressing factor. The adverse conditions continued until the spring of 1921 and were reflected not only in the demand from the Orient but also in reduced consumption of silver in the arts and industries of the Occident. Speculation may be credited with the fluctuations during the remainder of 1921, with the cessation of the decline of commodity prices as a "bull" factor. Another favorable factor in the price of silver during the postwar years was the great currency depreciation on the continent. This brought into force Gresham's law, giving silver a scarcity value.

Price movement from 1922 to 1928

The year 1923 was marked by a peak supply. Production of new silver, which for two years had been rapidly mounting, exceeded the previous (1912) high, while "other supplies" brought the total to about 280,000,000 fine ounces. Demand from India continued strong, however, while favorable exports and disturbances in China continued to bolster the price. A favorable influence in 1924 was the demand in Europe for silver for coinage purposes. It is estimated that 50,000,000 ounces were absorbed in that way in Europe alone during 1924.²¹ Moreover, "other supplies" were less than in 1923, and the price of silver was accordingly high. The fact that India and China were large buyers in 1925, owing to internal disorders in China and a favorable monsoon in India, has already been mentioned. "Other supplies" were less than in 1924. Since 1925 the decline of silver and the increase in total supply have been the dominant features of the market.

Decline in 1929

In the treaty ports of China, where that country's foreign trade is conducted, gold sets the price level. Quite naturally the decline in the price of silver during 1929 reflected itself in a decline in and cancellation of orders for foreign merchandise. The foreign loans and indemnity obligations secured on the Chinese maritime customs revenue were met in full during 1929, only at a cost of 7,947,000 *hankwan* taels greater than in 1928.²² As a means of self-protection, the Finance Ministry early in 1930 announced that customs duties would be collected on a gold basis. China, for a time, gave consideration to a proposal to levy a duty on silver; this, however, was turned down upon foreign recommendation. In January, 1930, it was stated that the immediate loss to the Chinese Government through the decline of silver was over \$10,000,000 (silver).

The adverse silver situation in 1929 was emphasized by persistent Chinese sales of silver. Another adverse factor, apart from high world production, was the approaching adoption of the gold standard by French Indo-China, and its consideration in Hong Kong and Persia. From the beginning of 1930 the value of the French Indo-China piaster was stabilized at 1 piaster=10 French francs. But Indo-China is not a very important consumer of silver. Were it to throw on the market overnight its entire stock of silver, the addition would amount to only a small fraction of the world's annual production.

The possibility that China will adopt the gold standard, despite recommendations to that end, are still remote. China has not at hand, nor can she command, a stock of gold or gold credits such as would be required. Even were this to occur, and were China to adopt some form of the gold standard, the Chinese could hardly be expected to throw up overnight their centuries-old affection for silver as a medium of exchange, a store of value, and a material for the arts.

An interesting sidelight on the effect of silver on company profits may be seen in the announcement of the Hong Kong & Shanghai Banking Corporation of a reduction of £1 per share in the annual bonus.²³ Although the distribution of the bonus represented a decline of £160,000, its cost in dollars to the bank was \$245,000 greater than for 1928.

²⁰ Pittman purchases were completed in May, 1923; this gave rise to an unwarranted bearish sentiment.

²¹ The following consumed silver for coinage purposes in 1924: The Free City of Danzig, Germany, Latvia, Lithuania, Poland, and Russia. The United States similarly consumed a total of 4,400,000 ounces.

²² China Express and Telegraph, Jan. 9, 1930, p. 6.

²³ China Express and Telegraph, Jan. 16, 1930, pp. 35 and 44.

WORLD CONSUMPTION OF SILVER

The following estimates of the distribution of the world's annual silver production since 1924 are taken from the annual reviews of Handy and Harman. The item entitled "Otherwise Unaccounted For" assumes that the entire production of any one year was distributed the same year.

Estimated distribution of world silver production
(In millions of ounces)

Item	1924	1925	1926	1927	1928	1929
India.....	108.2	106.7	91.6	90.0	89.0	81.8
China.....	41.7	59.4	73.9	85.0	124.0	136.7
Germany.....		14.3	12.5	16.7	10.8	12.0
Arts and manufactures:						
United States and Canada.....	28.0	31.0	33.5	33.5	33.5	37.0
England.....	4.5	5.0	6.0	6.5	6.0	6.5
Coinage:						
United States.....	4.4	17.0	6.7	6.5	4.1	2.5
Poland.....					6.5	
Russia.....					1.6	3.5
Netherlands.....					1.4	3.0
Hong Kong dollars.....						16.0
Mexico.....	11.3	3.3	4.1			
Miscellaneous European countries.....	50.0					
Otherwise unaccounted for ¹	11.0	15.4	20.0	31.4	31.5	12.5
Total production and other supplies.....	259.1	252.1	254.3	269.6	308.4	311.5

¹ In the source this figure is designated as shipments from abroad; the figures for later years show allowances for exports to other countries.

² In an article in *Mining and Metallurgy*, November, 1928, p. 487, H. C. Simpson stated: "Africa is beginning to show quite an increase in the use of this metal (silver)."

Source: Handy and Harman, Annual Reviews, 1925 to 1929.

Monthly averages of daily price of silver in New York
(In cents per fine ounce)

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Average
1914.....	57.57	57.51	58.07	58.52	58.17	56.47	54.68	54.34	53.29	50.65	49.08	49.37	54.81
1915.....	48.85	48.48	50.24	50.25	49.91	49.03	47.52	47.16	48.68	49.38	51.71	54.97	49.70
1916.....	56.77	56.75	57.93	64.41	74.27	65.02	62.94	66.08	68.51	67.85	71.60	75.76	65.70
1917.....	75.63	77.58	73.86	73.87	74.74	76.97	79.01	85.41	100.70	87.33	85.89	85.96	81.40
1918.....	88.70	85.72	88.08	95.35	99.50	99.50	99.62	100.30	101.10	101.10	101.10	101.10	96.80
1919.....	101.10	101.10	101.10	101.10	107.10	110.40	106.40	111.40	114.50	119.10	127.90	132.00	111.10
1920.....	132.80	131.30	125.60	119.50	102.60	90.80	91.90	96.20	93.70	83.50	77.60	64.80	100.90
1921.....	65.95	59.32	56.03	59.34	59.85	58.51	60.26	61.60	66.50	70.97	68.23	65.76	62.66
1922.....	65.45	65.31	64.38	66.57	71.15	71.15	70.24	69.40	69.50	68.01	65.18	64.62	67.58
1923.....	65.71	64.34	67.53	66.85	67.07	64.84	63.01	62.78	64.22	63.65	63.82	64.70	64.88
1924.....	63.44	64.36	63.96	64.14	65.52	66.69	67.16	68.52	69.35	70.87	69.30	68.10	66.78
1925.....	68.45	68.47	67.79	66.90	67.58	69.12	69.44	70.26	71.61	71.11	69.22	68.89	69.07
1926.....	67.80	66.77	65.88	64.42	65.08	65.51	64.79	62.38	60.57	54.51	54.14	53.46	62.01
1927.....	55.80	57.92	55.31	56.40	56.28	56.78	56.36	54.76	55.45	56.04	57.47	57.97	56.38
1928.....	57.10	57.00	57.30	57.40	60.30	60.20	59.20	58.90	57.60	58.10	58.00	57.30	58.20
1929.....	57.00	56.20	56.30	55.70	54.10	52.40	52.50	52.60	51.00	49.90	49.60	48.50	53.00

¹ Quotations suspended Aug. 1 to 21.

² From June 17, 1920, to May 31, 1923, the averages are based on the prices of foreign silver, the price of domestic silver being retained at \$1 by Government purchases under the Pittman Act, which became inoperative in June, 1923.

Source: Standard Statistics.

Revised index numbers of wholesale prices in the United States, all commodities
(1926=100)

Year	January	February	March	April	May	June	July	August	September	October	November	December	Average
1914.....	68.6	68.3	68.0	67.6	67.4	67.4	67.3	69.6	70.2	68.0	67.5	67.3	68.1
1915.....	68.1	68.6	68.2	68.7	69.0	68.3	69.3	68.6	68.3	70.2	71.7	74.0	69.5
1916.....	77.0	78.5	80.4	81.7	82.9	82.9	83.4	85.1	86.9	91.1	97.4	99.2	85.5
1917.....	102.1	104.5	107.7	114.1	120.7	122.0	123.0	124.8	123.5	122.2	122.8	122.9	117.5
1918.....	125.0	122.7	126.4	128.3	128.1	129.0	132.0	134.3	137.5	136.3	136.3	136.3	131.3
1919.....	134.4	129.8	131.3	133.0	135.3	135.6	141.1	144.3	141.1	141.6	144.5	150.5	138.6
1920.....	157.7	157.1	158.6	165.5	167.2	166.5	165.8	161.4	155.2	144.2	133.4	120.7	154.4
1921.....	114.0	104.9	102.4	98.9	96.2	93.4	93.4	93.5	93.4	94.1	94.2	92.9	97.6
1922.....	91.4	92.9	92.8	93.2	96.1	96.3	99.4	98.6	99.3	99.6	100.5	100.7	96.7
1923.....	102.0	103.3	104.5	103.9	101.9	100.3	98.4	97.8	99.7	99.4	98.4	98.1	100.6
1924.....	99.6	99.7	98.5	97.3	95.9	94.9	95.6	97.0	97.1	98.2	99.1	101.5	98.1
1925.....	102.9	104.0	104.2	101.9	101.6	103.0	104.3	103.9	103.4	103.6	104.5	103.4	103.5
1926.....	103.6	102.1	100.4	100.1	100.5	100.5	99.5	99.0	99.7	99.4	98.4	97.9	100.0
1927.....	96.6	95.9	94.5	93.7	93.7	93.8	94.1	95.2	96.5	97.0	96.7	96.8	95.4
1928.....	96.3	96.4	96.0	97.4	98.6	97.6	98.3	98.9	100.1	97.8	96.7	96.7	97.7
1929.....	97.2	96.7	97.5	96.8	95.8	96.4	98.0	97.7	97.5	96.3	94.2	94.2	96.5

Source: United States Department of Labor, Bureau of Labor Statistics.

DAILY DETERMINATION OF PRICE

London is the world's principal silver market because of tradition, because it is an important financial center, because of its close relationship with the silver-using countries of the Orient, and because numerous shipping routes radiate from the Thames. That it is great banking center makes it possible for London to finance the bulk of the silver business. The frequent sailings from London to all parts of the world enable it to deliver silver to most countries more quickly, on the average, than can other centers. During the World War New York (and to a lesser degree San Francisco) became very important in the silver market, and for a time America was the principal factor in

STATISTICS OF PRICE CHANGES

The following table gives the price of silver in New York from 1914 to 1929, in cents per fine ounce. The prices are the monthly and yearly averages compiled by Standard Statistics. Figures of the 1929 report of the Director of the Mint (p. 120) show the high, low, and average price of silver from 1874 to 1928, inclusive. Prior to the 1910-20 peak, the high occurred in 1874—\$1.29375. During the interval from 1874 to 1928 the low was \$0.47375 in 1902.

London prices are given in the same report (p. 121) as far back as 1833. The highest price recorded between 1833 and 1928 was 89½d. per standard ounce (0.925 fine) in 1920. Other highs were 79½d. in 1919 and 62½d. in 1859. The lows of the period were 21½d. in 1902 and 1903, and 22d. in 1908.

The average commercial ratio of silver to gold is given in the Director of the Mint's 1929 report (p. 123) for the years 1687 to 1928. In 1687 the average ratio was 14.94. Thereafter it increased, rising above 15.00 a number of times, particularly during the first 28 years of the eighteenth century. The lowest average ratio recorded was 14.14 in 1760. In 1808 the ratio reached 16.08, the first recorded crossing by the annual average of the now famous "16 to 1." That occurred again in 1812 and 1813, but not thereafter until 1874. Thereafter, silver declining in value, the average ratio rose to 39.15 in 1902.² In 1915 the average ratio was 39.84, but by 1920 was only 15.31, rising subsequently. It was 36.22 in 1927 and 35.26 in 1928.

The following table shows the average index number of wholesale commodity prices in the United States, by months and years, for 1914 to 1929:

determining prices. In postwar years it has continued to be very important.

At present the price of silver throughout the world is readjusted daily according to the price in London. In that city the price is "fixed" by four firms, which for many years have constituted the silver market: Moccatta & Goldsmid (founded in 1684, 10 years before the Bank of England), Samuel Montagu & Co., Pixley & Abell, and Sharps & Wilkins. These four firms—with whom are placed all orders

² At 21½d. per standard ounces, the ratio of silver to gold stood at approximately 43½ to 1 in 1902-3.

to buy or sell (in London)—meet daily at 2 p. m. (Saturdays at 11 a. m.) and compare their orders in hand for purchase or sale. If the demand and supply, as evinced by these orders, are seen to be unequal, the previous day's price is altered as much as is necessary to move the largest amount of silver. This is quite natural, for the only interest of the brokers is the commission which they make on the transactions. It may be stated, parenthetically, that this is one of the few examples of a market being conducted "with all the cards on the table." The price is quickly determined and immediately announced, literally, to all the world. Orders received later the same day may be executed at a higher or lower price than that announced, or they may not be executed at all.

There are, in fact, two silver prices in London—the price for spot delivery (within seven days) and that for future delivery (within 60 days, no days of grace being allowed), delivery being made at the option of the seller at any time within the period. The price of future silver may be above or below the spot price, depending on local stocks, market outlook, and similar factors. Business is also done in options, usually two months but sometimes longer, based upon the price of "future."

The seller of silver pays his broker no brokerage, the buyer alone being charged one-eighth of 1 per cent by his broker. As between brokers that commission is divided, one broker selling to another at one-sixteenth of 1 per cent and buying at one-sixteenth of 1 per cent. In other words, the bulk of the day's sales and purchases may be merely book transactions, only a fraction of the total consisting of transactions between the four brokers. The cost of a two months' option to call or put silver is generally about 2 per cent of the price plus a brokerage of one-eighth of 1 per cent of the price. During the war, for a period of four years and nine months ending May 9, 1919, the sale of future silver was suspended.

In New York silver is sold for immediate or future delivery. The "official" price is determined and issued once a day, usually late in the forenoon, by Handy and Harman. It is based on the market price for near-by delivery prevailing on the same day up to the time the "official" price is determined. This "official" price is the one used by producers and smelters as the settlement basis for the silver content of ores purchased by the smelting companies from producing companies. Due to the fact that such silver contained in ores does not become available for delivery in refined form for several months, the "official" price is lower than the market price on which it is based.

The price of silver in New York is, of course, strongly influenced by the price in London; that is, it theoretically represents the cost of transporting to London silver purchased in the United States. Actually, however, market conditions in New York are the determining factors. Thus, even on British bank holidays when there is no London price, the New York official price is determined and published.

Actual commercial transactions in silver in New York are concluded at the market price, which is higher than the official price by from three-sixteenth to one-fourth of a cent. The spread, however, is said to have varied by as much as 6 cents in times past. It also varies from time to time during the day.

The market price of silver in New York may vary during the day according to the strength or weakness of the market or the date on which delivery is desired. Bids in New York come from various parts of the world, including China, India, and London; sales may be for the account of the Far East or for producers in the United States, Canada, Mexico, or South America.

As an example of the price of silver in New York and London the following were those announced on March 3, 1930:

"New York (in cents per fine ounce): 'Official,' 39½; bid, 40; asked 40½. London (in pence per standard ounce): Spot, 18½; forward, 18½."

RELIEF OF UNEMPLOYMENT

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. BINGHAM. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside, and that the Senate proceed to the consideration of House bill 10813, the District of Columbia appropriation bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10813) making appropriations for the government of the District of Columbia, and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BINGHAM. I ask that the formal reading of the bill be dispensed with and that the bill may be read for action on the committee amendments.

Mr. McKELLAR. I have no objection to that, but I want to ask the Senator whether he intends to have the bill passed this evening or not.

Mr. BINGHAM. We shall get as far along as possible this evening, but I realize that it would be impossible to pass the bill to-day, because there are a number of Senators interested in items who can not be here this afternoon. Therefore it is my wish to proceed until 5 o'clock, when it is my intention to ask for a recess until to-morrow.

Mr. McKELLAR. I hope the Senator will ask for an adjournment, for the reason that I have presented a motion to suspend the rules, and I take it that an adjournment will have to be taken before the motion can be called up.

Mr. BINGHAM. Mr. President, I do not think anyone will object if the Senator will ask unanimous consent to-morrow to take up his motion, even though a legislative day may not have intervened.

Mr. McKELLAR. With that understanding it will be entirely satisfactory to take a recess.

Mr. McNARY. Mr. President, I had arranged earlier in the day for a recess, and I would not like to change the plan.

Mr. McKELLAR. With the understanding from the chairman of the committee he has just suggested, I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Connecticut?

Mr. TYDINGS. Mr. President, I have no objection to the Senator's request, but I have one amendment I would like to offer, which is not a committee amendment, and inasmuch as I will probably be absent to-morrow, I would like to have the Senator consent that I may offer the amendment now.

Mr. BINGHAM. Certainly. I appreciate the Senator's position, and I hope the Senator will not object to the request I make.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNARY. Mr. President, I ask unanimous consent that the further calling of the roll be dispensed with, that we proceed with the consideration of the pending appropriation bill until 4.30 o'clock, and that at that time the Senate take a recess until 12 o'clock noon to-morrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. TYDINGS. Mr. President, the Senator from Connecticut [Mr. BINGHAM], who is in charge of the pending bill, has consented to a request which I shall shortly make to the Senate, to take up, out of order, a matter which comes at some later stage in the bill, in order that it may be considered now, because of the fact that I shall not be able to be here to-morrow.

Mr. BINGHAM. I have no objection.

Mr. TYDINGS. I ask unanimous consent to introduce at this time an amendment, which I send to the desk.

The VICE PRESIDENT. Let it be reported.

The LEGISLATIVE CLERK. On page 36, after line 14, insert:

That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to construct a subway and approaches thereto under the tracks and right of way of the Baltimore & Ohio Railroad Co. in the vicinity of Chestnut Street or of the intersection of Fern Place and Piney Branch Road, extended, in the District of Columbia on a line to be determined by the Commissioners of the District of Columbia and in accordance with plans and profiles of said subway and approaches to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing said subway and thereafter the cost of maintaining the structure within the limits of its right of way shall be borne and paid by the said Baltimore & Ohio Railroad Co., its successors and assigns, to the collector of taxes of the District of Columbia for deposit to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company, and shall constitute a legal indebtedness against the said railroad company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other legal proceeding against the said railroad company.

SEC. 2. That for the purpose of carrying into effect the foregoing provisions the sum of \$250,000 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia; and the said commissioners are authorized to expend such sum as may be necessary for personal services, engineering, and incidental expenses, including the cost of relocating sewers and water mains. The said commissioners are further authorized

to acquire, out of the appropriation herein authorized, the necessary land to carry out the provisions of this act, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation in accordance with chapter 15 of the Code of Law of the District of Columbia, as amended.

Sec. 3. That from and after the completion of the said subway and approaches the highway grade crossing over the tracks and right of way of the said Baltimore & Ohio Railroad Co. at Chestnut Street shall be forever closed against further traffic of any kind.

Mr. BINGHAM. Mr. President, I desire to ask the Senator from Maryland whether this is in the language of a bill which was passed by the Senate earlier in the day?

Mr. TYDINGS. It is. The Commissioners of the District are in favor of it and the Budget Bureau is likewise favorable to it. It eliminates a grade crossing where four people have been killed lately in the District of Columbia.

Mr. BINGHAM. I have no objection.

The PRESIDING OFFICER (Mr. JONES in the chair). Without objection, the amendment offered by the Senator from Maryland is agreed to.

Mr. TYDINGS. Mr. President, I also ask that the committee amendment on page 28, line 15, relating to Iris Street, be not agreed to. The House provided for the paving of Iris Street in the District. The commissioners are in favor of it. The Budget Bureau is in favor of it. I understand that the chairman of the subcommittee has consented not to press the Senate committee amendment which proposes to strike out the provision.

Mr. BINGHAM. Mr. President, the members of the subcommittee visited the locality and are of the opinion that the street is not sufficiently built up, or at least a part of it, to justify paving at this time. I hope the Senator will let the amendment go to conference in order that we may make a further study of the situation.

Mr. TYDINGS. May I also call to the attention of the Senator from Connecticut the amendment on page 26, line 3, the Thirteenth Street amendment, and on the same page, line 5, the Morningside Drive amendment. I asked the Senator about these items. I suppose he wants his request for the other amendment to go to conference to apply to these amendments as well?

Mr. BINGHAM. Yes. The subcommittee visited that section of Washington and found a number of vacant blocks there. If we paved the streets before the lots are built upon, it would require a tearing up of the pavement in order to put in gas, water, and sewer pipes, which would not be in the interest of the householders in that vicinity. If the Senator will let the amendment as recommended by the committee be adopted, I can promise him that in conference we will give the matter very serious consideration to see whether the view of the subcommittee as approved by the committee is correct, or whether in view of the situation there it may not be possible to make some change in the plans of the commissioners.

Mr. TYDINGS. I shall be very glad to accede to the request of the Senator from Connecticut. In order that the whole picture may be before the Senate and before the conferees may I say that the total assessed value of the land in question in 1925 was \$147,000, while the total assessed value to-day is \$1,535,000, an increase of 1,000 per cent in five years. This shows the degree to which that section of the District has been built up. The people are now paying very heavy taxes. They have no pavements, although on one of the streets approximately 80 per cent of the lots facing on the street are now occupied by completed homes, so that the street is almost 100 per cent completed. There is water and sewerage there, and I feel that the residents, all of whom live in the District, have a very strong case for a paved street. However, I am satisfied to leave it to the Senator from Connecticut to work out in conference.

Mr. BINGHAM. It would not be well to pave the streets before water pipes and sewer pipes are put in there.

Mr. TYDINGS. I think there is water and sewerage, but I do not believe there are any other improvements there. Certainly the street is not paved. There is nothing but a mud street there.

Mr. BINGHAM. I appreciate the fact that the neighborhood referred to is a very attractive one, that the houses are large and of fine appearance, and that the condition of the street is deplorable, but, as I said to the Senator, it has not been the practice of the committee to recommend pavements until such time as at least 90 per cent, or nearly 90 per cent of a street has been built up, in order that the pavement may not be torn up when connecting lines for gas, water, and sewer are installed. However, I will be glad to consider the matter very

carefully in conference and see whether or not we may reach the same conclusion with regard to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The first amendment of the Committee on Appropriations was, on page 2, line 5, after the word "addition," to strike out "\$9,000,000" and insert "\$12,000,000," so as to read:

Be it enacted, etc., That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1931, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, \$12,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1930, and all the remainder out of the combined revenues of the District of Columbia, and the tax rate in effect in the fiscal year 1930 on real estate and tangible personal property subject to taxation in the District of Columbia shall not be decreased for the fiscal year 1931, namely.

The amendment was agreed to.

The next amendment was, under the heading "General expenses, Executive Office," on page 2, line 16, after the word "services," to strike out "\$49,160" and insert "\$49,420," so as to read:

For personal services, \$49,420, plus so much as may be necessary to compensate the engineer commissioner at such rate in Grade 8 of the professional and scientific service of the classification act of 1923, as amended, as may be determined by the Board of Commissioners.

The amendment was agreed to.

The next amendment was, on page 4, at the end of line 1, to increase the appropriation for personal services in the purchasing division from \$61,600 to \$62,560.

The amendment was agreed to.

The next amendment was, on page 4, line 4, to increase the appropriation for personal services in the building inspection division from \$155,080 to \$157,080.

The amendment was agreed to.

The next amendment was, on page 4, line 6, after the word "services," to strike out "\$37,800" and insert "\$38,520," and at the end of line 9, to strike out "\$43,100" and insert "\$43,820," so as to read:

Plumbing inspection division: For personal services, \$38,520, for temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be required, \$5,000; two members of plumbing board at \$150 each; in all, \$43,820;

The amendment was agreed to.

The next amendment was, on page 4, line 10, to increase the total appropriation for the Executive Office from \$309,000 to \$312,880.

The amendment was agreed to.

The next amendment was, under the subhead "Care of District Building," on page 4, line 12, after the word "services," to strike out "\$56,054" and insert "\$56,980," and in line 14, after the words "in all," to strike out "\$71,054" and insert "\$71,980," so as to read:

For personal services, \$56,980; services of cleaners as necessary, not to exceed 48 cents per hour, \$15,000; in all, \$71,980.

The amendment was agreed to.

The next amendment was, under the subhead "Assessor's office," on page 4, line 24, after the word "service," to strike out "\$219,070" and insert "\$220,970," and in line 25, after the words "in all," to strike out "\$223,070" and insert "\$224,970," so as to read:

For personal services, \$220,970; temporary clerk hire, \$4,000; in all, \$224,970.

The amendment was agreed to.

The next amendment was, under the subhead "License bureau," on page 5, line 2, after the word "services," to strike out "\$18,820" and insert "\$18,940," and in line 3, after the words "in all," to strike out "\$19,820" and insert "\$19,940," so as to read:

For personal services, \$18,940; temporary clerk hire, \$1,000; in all, \$19,940.

The amendment was agreed to.

The next amendment was, under the subhead "Collector's office," on page 5, line 8, after the words "clerk hire," to strike out "\$47,890" and insert "\$48,340," so as to read:

For personal services, including \$1,000 for temporary clerk hire, \$48,340.

The amendment was agreed to.

The next amendment was, under the subhead "Auditor's office," on page 5, line 10, after the word "services," to strike out "\$126,200" and insert "\$127,400," so as to read:

For personal services, \$127,400; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Office of corporation counsel," on page 5, at the end of line 19, to strike out "\$77,140" and insert "\$78,820," so as to read:

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, \$78,820.

The amendment was agreed to.

The next amendment was, on page 5, after line 19, to strike out:

To investigate the title of the Chesapeake & Ohio Canal Co. to certain lands, properties, and rights appurtenant thereto, and the said company's authority to occupy and use the said lands, properties, and rights, including the expense of bringing such suits, in the name of the United States and/or the District of Columbia as may be necessary for the purpose of determining the same, employment of a special assistant to the corporation counsel, traveling, clerical, and other expenses necessary and incidental to carrying out the provisions of this paragraph, \$10,000.

The amendment was agreed to.

The next amendment was, on page 6, at the end of line 16, to increase the appropriation for personal services in the office of the superintendent of weights, measures, and markets, from \$47,080 to \$47,520.

The amendment was agreed to.

The next amendment was, on page 6, line 20, after the figures "\$7,500," to insert a comma and "of which amount \$500 shall be immediately available," so as to read:

For maintenance and repairs to markets, \$7,500, of which amount \$500 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 7, line 4, after the word "of," to strike out "a site in," so as to read:

Farmers' produce market: For the acquisition of squares Nos. 354 and 355, including all necessary expenses for the clearing and leveling of the ground, the erection of protection sheds and suitable stands and stalls, and the installation of sanitary conveniences and heating and telephone service, in accordance with the provisions of the act entitled "An act authorizing acquisition of a site for the farmers' produce market, and for other purposes," approved March 2, 1929 (45 Stat. 1487), \$300,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 7, at the end of line 15, to increase the appropriation for personal services in the highways department, from \$224,150 to \$226,090.

The amendment was agreed to.

The next amendment was, on page 8, line 5, to increase the appropriation for personal services in the sewer department, from \$196,600 to \$197,900.

The amendment was agreed to.

The next amendment was, on page 8, line 7, to increase the appropriation for personal services in the trees and parking department, from \$25,100 to \$25,380.

The amendment was agreed to.

The next amendment was, on page 8, line 9, to increase the appropriation for personal services in the office of the chief clerk, engineer department, from \$28,060 to \$28,520.

The amendment was agreed to.

The next amendment was, on page 8, line 11, to increase the appropriation for personal services in the Central Garage, from \$5,240 to \$5,300.

The amendment was agreed to.

The next amendment was, on page 8, line 13, to increase the appropriation for personal services in the municipal architect's office from \$63,700 to \$65,000.

The amendment was agreed to.

The next amendment was, on page 8, line 22, after the figures "\$2,000,000," to insert a colon and the following proviso:

Provided, That where an initial appropriation made for any construction project is only for the partial completion thereof, the municipal architect shall be entitled to an apportionment of said appropriation in an amount not exceeding 60 per cent of the percentage as herein provided of the authorized limit of cost of such project.

The amendment was agreed to.

The next amendment was, under the subhead "Public Utilities Commission," on page 9, line 5, after the words "in all," to strike out "\$92,620" and insert "\$93,260," so as to read:

For two commissioners at \$7,500 each; people's counsel, \$7,500; and for other personal services; in all, \$93,260.

The amendment was agreed to.

The next amendment was, on page 9, line 12, to increase the appropriation for personal services in the department of insurance from \$19,760 to \$20,160.

The amendment was agreed to.

The next amendment was, on page 9, line 14, to increase the appropriation for personal services in the surveyor's office from \$87,450 to \$88,990.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the director of traffic," on page 10, line 19, after the word "services," to strike out "\$32,040" and insert "\$37,160," and in line 20, after the words "in all," to strike out "\$37,040" and insert "\$42,160," so as to read:

For personal services, \$37,160, and for temporary clerk hire, \$5,000; in all, \$42,160.

The amendment was agreed to.

The next amendment was, on page 10, line 24, after the word "commissioners," to strike out "\$103,000" and insert "\$53,000," so as to read:

For purchase and installation of electric traffic lights, signals, and controls, markers, painting white lines, labor, and such other expenses as may be necessary in the judgment of the commissioners, \$53,000.

The amendment was agreed to.

The next amendment was, on page 11, line 5, to increase the appropriation for personal services in the free Public Library from \$276,040 to \$282,330.

The amendment was agreed to.

The next amendment was, on page 12, line 11, to increase the appropriation for personal services in the office of register of wills from \$73,640 to \$74,660.

The amendment was agreed to.

The next amendment was, on page 12, line 18, to increase the appropriation for personal services in the office of recorder of deeds from \$104,020 to \$107,120.

The amendment was agreed to.

The next amendment was, under the subhead "Recorder of deeds," on page 12, after line 18, to insert:

For recopying old land records of the District of Columbia, including personal services, typewriting machines, and necessary supplies and equipment, \$10,000.

The amendment was agreed to.

The next amendment was, under the heading "Municipal center," on page 19, line 15, before the words "to be," to strike out "\$3,000,000" and insert "\$1,000,000," so as to read:

For continuing the acquisition of squares Nos. 490, 491, and 533, and reservation 10 in the District of Columbia, including buildings and other structures thereon, as a site for a municipal center, under and in accordance with the provisions of the act entitled "An act to provide for the establishment of a municipal center in the District of Columbia," approved February 28, 1929 (45 Stat. 1408), \$1,000,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 19, line 23, after the word "otherwise," to strike out "and preservation" and insert "expenses of moving, and preservation," so as to make the proviso read:

Provided, That the Commissioners of the District of Columbia are authorized in their discretion to rent, until their removal becomes necessary, at fair rental values, buildings acquired by the District in the municipal center, and to use such part of the rentals heretofore and hereafter collected as may be necessary for expenses of collection, repairs and alterations to buildings by day labor or otherwise, expenses of moving, and preservation and operating expenses of such buildings as may continue in private occupancy, the balance of the rentals to be covered into the Treasury to the credit of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Gasoline tax road and street fund," on page 23, line 3, after the word "to," to strike out "300 feet east" and insert "Montello Avenue," so as to read:

Northeast: Owen Place, West Virginia Avenue to Montello Avenue, \$4,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 12, to strike out:

Northeast: Quincy Street, Twelfth Street to Fourteenth Street, \$15,700.

The amendment was agreed to.

The next amendment was, on page 24, after line 14, to strike out:

Northeast: Vista Street, Central Avenue to Walnut Street, \$13,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 16, to strike out:

Northeast: New York Avenue, Florida Avenue to Bladensburg Road, \$195,000.

The amendment was agreed to.

The next amendment was, on page 26, after line 2, to strike out:

Northwest: Thirteenth Street, Alaska Avenue to Kalmia Road, \$15,700.

The amendment was agreed to.

The next amendment was, on page 26, after line 4, to strike out:

Northwest: Morningside Drive, Alaska Avenue to Kalmia Road, \$23,800.

The amendment was agreed to.

The next amendment was, on page 26, after line 10, to insert:

Northwest: Ogleshorpe Street, Seventh Street to Eighth Street, \$5,500.

The amendment was agreed to.

The next amendment was, on page 26, after line 22, to insert:

Northwest: Sixteenth Street, Columbia Road to Tiger Bridge, \$136,000.

The amendment was agreed to.

The next amendment was, on page 27, after line 14, to insert:

Northwest: Nevada Avenue, Rittenhouse Street to Runnymede Place, \$3,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 6, to strike out:

Northwest: R Street, Twenty-eighth Street to Twenty-ninth Street, \$4,200.

The amendment was agreed to.

The next amendment was, on page 28, after line 8, to strike out:

Northwest: Twenty-eighth, Q Street to R Street, \$10,700.

The amendment was agreed to.

The next amendment was, on page 28, line 14, after the words "Twenty-third," to strike out "Street, \$4,600" and insert "Street to Twenty-fourth Street, \$11,000," so as to read:

Northwest: Bancroft Place, east of Twenty-third Street to Twenty-fourth Street, \$11,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 14, to strike out:

Northwest: Iris Street, from Thirteenth Street to Sixteenth Street, \$20,900.

The amendment was agreed to.

The next amendment was, on page 29, line 17, after the word "from," to strike out "Seventh to Thirteenth" and insert "Massachusetts Avenue to Thirteenth Street," and in line 20, after the word "mains," to strike out "\$103,000" and insert "\$133,000, and the commissioners are authorized to enter into contract or contracts for this work at a cost not to exceed \$191,400," so as to read:

Northwest: For widening to 56 feet and repaving the roadway of H Street from Massachusetts Avenue to Thirteenth Street, including necessary replacement and relocation of sewers and water mains, \$133,000, and the commissioners are authorized to enter into contract or contracts for this work at a cost not to exceed \$191,400: *Provided*, That in widening and repaving this roadway, 40 per cent of the entire cost

thereof shall be assessed against and collected from the owners of the abutting property in the manner provided in the act approved July 1, 1914 (38 Stat. 524), as amended by section 8 of the act approved September 1, 1916 (39 Stat. 716). The owners of abutting property also shall be required to modify, at their own expense, the roofs of any vaults that may be under the sidewalk or parking on said street if it be found necessary to change such vaults to permit of the roadway being widened.

The amendment was agreed to.

The next amendment was, on page 30, at the end of line 23, to strike out "\$300,000" and insert "\$500,000," so as to read:

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, \$500,000.

The amendment was agreed to.

The next amendment was, on page 30, line 24, after the words "in all," to strike out "\$1,978,400" and insert "\$2,060,300," so as to read:

In all, \$2,060,300; to be disbursed and accounted for as "Gasoline tax, road and street improvements," and for that purpose shall constitute one fund and be available immediately.

The amendment was agreed to.

The next amendment was, under the subhead "Street repair, grading, and extension," on page 32, line 7, after the word "work," to insert "and the rental of necessary garage space therefor" and a semicolon, so as to read:

Repairs: For current work of repairs to streets, avenues, roads, alleys, including purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, and the rental of necessary garage space therefor; and including the surfacing and resurfacing, or replacement, with the same or other approved materials, of such asphalt or concrete pavements as may be done within the funds available under this appropriation, \$1,175,000.

The amendment was agreed to.

The next amendment was under the subhead "Bridges," in the item for a Connecticut Avenue bridge over Klinge Valley, on page 34, line 16, after the word "thereto," to strike out the colon and the following additional proviso:

Provided further, That any street railway company using said bridge for its tracks shall, prior to such use, pay to the collector of taxes of the District of Columbia for deposit to the credit of the District of Columbia a sum equal to one-fourth of the cost of said bridge.

The amendment was agreed to.

The next amendment was, on page 34, after line 20, to strike out:

For the reconstruction of a viaduct or bridge and approaches thereto to replace the existing viaduct in the line of Monroe Street NE., over the tracks and right of way of the Baltimore & Ohio Railroad Co., in accordance with plans and profile of said work to be approved by the Commissioners of the District of Columbia, including purchase or condemnation, under chapter 15 of the Code of Law for the District of Columbia, as amended (45 Stat. 1437), of necessary land, construction of and changes in sewers and water mains, personal services, and engineering and incidental expenses, \$135,000: *Provided*, That one-half of the total cost of constructing the said viaduct or bridge and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia, to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company: *Provided further*, That no street railway company shall use the viaduct or bridge or any approaches thereto herein authorized for its tracks until the said company shall have paid to the collector of taxes of the District of Columbia a sum equal to one-fourth of the cost of said viaduct or bridge and approaches, which sum shall be paid to the collector of taxes of the District of Columbia for deposit to the credit of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Sewers," on page 38, after line 5, to insert:

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles, purchase of oil, and other necessary expenses, \$60,000, to be immediately available: *Provided*, That of the amount herein appropriated there may be transferred for direct expenditure not to exceed \$16,500 to the Director of Public Buildings and Public Parks of the National Capital and, in the interest of coordinating the work of mosquito control in the District of Columbia, not to exceed \$7,500 to the Public Health Service of the

Treasury Department, the amounts so transferred to be available for the objects herein specified.

Mr. NORRIS. Mr. President, I should like to have some information about the amendment on page 38 which has just been stated. It seems that it provides—

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles.

I am wondering if it is necessary, in order to prevent the spread of mosquitoes, to buy passenger-carrying vehicles, and whether it is the object of this amendment to put on a show and invite people to ride in publicly owned passenger vehicles.

Mr. McKELLAR. Mr. President, perhaps it is proposed to take the mosquitoes out of the city in the passenger cars it is proposed to purchase.

Mr. NORRIS. If that should be done, it would render the District liable for damages to the State of Maryland or Virginia, whichever State the mosquitoes were taken into, if the mosquitoes were allowed to escape. It seems to me, at any rate, that we ought to have an explanation of the amendment.

Mr. BINGHAM. Mr. President, I do not wonder that my friend from Nebraska is worried about the necessity of passenger-carrying vehicles in connection with the control of mosquitoes; but it appears from the report made by the public health officer that there are some 9,000 manholes in the streets which must be visited and treated with oil at intervals in order to prevent the mosquitoes from securing very desirable breeding places. Passenger-carrying vehicles are necessary in order that the inspectors and other employees engaged in the service may not have to walk around from one to another of these 9,000 breeding places.

Mr. NORRIS. If the mosquitoes are found in the sewers and it is desired to put in mosquito poison through the manholes, why could not the situation be controlled by keeping the manholes covered so that the mosquitoes could not get out?

Mr. BINGHAM. Unfortunately, mosquitoes do not need a very large hole in order to get out. I will say to the Senator.

Mr. NORRIS. Then screens could be put below the tops of the manholes so that mosquitoes will not be able to crawl through but would be kept in.

Mr. BINGHAM. I think that would be an excellent idea, if the Senator could assure us that there would be no flood sufficient to require the rapid disposal of the water from the surface of the streets. However, if screens which would keep the mosquitoes out were provided they would also prevent the rapid draining of the surface water from the streets.

Mr. NORRIS. The Senator says that from the manholes the mosquitoes escape from the sewers and bite the people. The surface water does not run in a manhole. As I understand a manhole is an opening, with a heavy cover on it, for the purpose of letting men go down into the sewer when occasion requires. If the manholes are not tight enough and they can not be tightened so that the mosquitoes can not get out, why not put screens underneath the covers of the manhole, and save this money?

Mr. BINGHAM. I think the Senator's suggestion is an admirable one, and I shall bring it to the attention of the Commissioners of the District of Columbia.

Mr. NORRIS. If the Senator is of that opinion, he ought to ask that this amendment be rejected, or at least should have it amended so as to provide for the purchase of screens instead of automobiles.

Mr. BINGHAM. But, Mr. President, the Senator will realize, although I did not use the proper term, that there are of necessity many thousands of openings from the streets to permit the surface water to run off rapidly, and it is necessary that inspectors should visit those drainage places.

Mr. GLASS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Virginia?

Mr. GLASS. Mr. President, I want the floor in my own time.

Mr. BINGHAM. I yield the floor.

Mr. GLASS. Mr. President, it seems to me, in view of the President's repeated admonitions to Congress against improvident appropriations, that this is the most indefensible item that has ever been presented to the Senate on an appropriation bill. The item was literally laughed out of the House committee when it was presented there during the consideration of the first deficiency appropriation bill, and well it might have been from the testimony adduced.

The chairman of the Appropriations Committee of the other branch of Congress said:

Somebody who knows something about the mosquito situation should explain it to us. We should not appropriate \$65,000 for the eradication of a few odd mosquitoes.

That suggestion initiated the controversy. Then somebody who thought he knew something about mosquitoes appeared before the committee to justify the proposed appropriation.

Mr. SIMMONS, of the House committee, asked Doctor Fowler, the health officer of the District of Columbia:

What health situation requires this action? Is this a matter of safeguarding the public health or safeguarding baldheaded people who want to sit on front porches?

Doctor FOWLER—

I invite the Senate to listen to this statement—

Doctor FOWLER—

That is the health officer—

I am frank to say, as the health officer, that we have had comparatively few complaints about mosquitoes. I want to add that I know of no condition in the District of Columbia whereby there has been any increase in sickness by reason of the presence of mosquitoes.

I want to add my own personal testimony to that of the health officer to the effect that for 20 years, less 2 years when I was at the Treasury, I resided at a hotel down town that practically fronts on the Mall. I have never heard, I have never seen, I have never been bitten by a mosquito.

The PRESIDING OFFICER. The Senator will suspend. Pursuant to the unanimous-consent agreement, the Senate will stand in recess—

Mr. NORRIS. Mr. President, was that a unanimous-consent agreement?

The PRESIDING OFFICER. The Chair is so informed.

Mr. NORRIS. I did not so understand it, and I think the Senator from Virginia does not so understand it.

Mr. GLASS. No; I did not so understand it.

Mr. McNARY. The agreement was made at the request of the Senator from Wisconsin [Mr. BLAINE] when a quorum was not developed after a second roll call.

Mr. NORRIS. The Senator from Wisconsin, who is now absent, consulted me in regard to the matter, because there was another amendment later on that I wanted to discuss at some length; and I told him that I would not be ready to do it to-day, but I would to-morrow.

I think I am perfectly justified in saying that the Senator from Wisconsin will have no objection if we make another unanimous-consent agreement now and cancel the agreement about recess, because the Senator from Virginia has told me that he is not going to be able to be here to-morrow; and he now has the floor and has just started his remarks on this amendment.

Mr. GLASS. If the Senate will just vote this miserable \$65,000 item out of the bill, I will not say another word; but it has no business here—not a bit in the world.

The PRESIDING OFFICER. The Chair is informed at the desk that the unanimous-consent agreement was made to recess at 4.30.

Mr. GLASS. Very well; I will stay over and attend to the mosquitoes to-morrow.

RECESS

The PRESIDING OFFICER. Pursuant to the unanimous-consent agreement, the Senate stands in recess until 12 o'clock to-morrow.

Thereupon (at 4 o'clock and 31 minutes p. m.), the Senate, under the unanimous-consent agreement heretofore made, took a recess until to-morrow, Friday, May 9, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 8, 1930

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Edward F. Feely, of the District of Columbia, to be envoy extraordinary and minister plenipotentiary of the United States of America to Bolivia.

SECRETARY IN THE DIPLOMATIC SERVICE

John Farr Simmons, of New York, now a Foreign Service officer of class 4 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

UNITED STATES ATTORNEY

Harry H. Atkinson, of Nevada, to be United States attorney, district of Nevada. He is now serving in this office under an appointment which expired April 20, 1930.

UNITED STATES MARSHAL

Frederick C. Schneider, of New Jersey, to be United States marshal, district of New Jersey. (He is now serving in this office under an appointment which expired December 14, 1929.)

PROMOTIONS IN THE NAVY

Rear Admiral Frank B. Upham, United States Navy, to be Chief of the Bureau of Navigation, in the Department of the Navy, with the rank of rear admiral, for a term of four years, from the 22d day of May, 1930.

The following-named midshipmen to be ensigns in the Navy, from the 5th day of June, 1930:

Carlton R. Adams.	Harry B. Dodge.
Scarritt Adams.	Joseph E. Dodson.
James A. Adkins.	Marshall E. Dornin.
Jack Agnew.	Jack S. Dorsey.
John W. Ailes, 3d.	Albert P. Douglass.
Stanley M. Alexander.	Volckert P. Douw.
Burrell C. Allen, jr.	William T. Doyle, jr.
William Y. Allen, jr.	William McC. Drane.
Charles H. Andrews.	Elmer J. Dunn.
John H. Armstrong, jr.	Harold E. Duryea.
Shryock M. Arwine.	Charles E. Earle.
Griswold T. Atkins.	Otis J. Earle.
John B. Azer.	Walter G. Ebert.
Harry P. Badger.	Ian C. Eddy.
Francis E. Bardwell.	John E. Edwards.
Arthur J. Barrett, jr.	William E. Ellis.
Rudolph C. Bauer.	Christian L. Engleman.
John K. Bisson.	Harry W. Englund.
Paul P. Blackburn, jr.	William C. Ennis.
Boyd E. Blanchard.	Lot Ensey.
Everett M. Block.	Robert J. Esslinger.
John B. Bowen, jr.	William S. Estabrook, jr.
Alston M. Boyd, jr.	Phillip C. Evans.
Lee DeV. Boyle.	Milton D. Fairchild.
Parke H. Brady.	William H. Farmer.
John L. Breault, jr.	Harold K. Feiock.
Harmon V. Briner.	John F. Flynn.
Richard R. Briner.	George W. Foott, jr.
John M. Bristol.	James F. Forster.
George K. Brodie.	Robert B. Foster.
Douglas B. Brokenshire.	Walter M. Foster.
Charles B. Brook.	Bernhart A. Fuetsch.
Oscar M. Browne, jr.	George E. Garcia.
Edward Brumby.	Victor S. Gaulin.
Harvey P. Burden.	William E. Gentner, jr.
John G. Burgess.	Kenneth McL. Gentry.
William A. Burgett.	Robert W. Germany, jr.
Martin C. Burns.	Charles R. Gilliam.
William A. Butler, jr.	Donald W. Gladney, jr.
George N. Butterfield.	Marvin H. Gluntz.
Norwood A. Campbell.	John B. Gragg.
Edward S. Carmick.	James D. L. Grant.
Gilbert C. Carpenter.	Elonzo B. Grantham, jr.
Francis M. Carter.	Royce L. Gross.
Richard S. Cass.	Alfred E. Grove.
George B. Chafee.	William W. Gubbins.
George M. Chambers.	Elvin Hahn.
Wreford G. Chapple.	John R. Haile.
Carlos M. Charneco.	Nathan S. Haines.
Baylies V. Clark.	Thomas B. Haley.
Henry G. Clark.	Clifton G. Hall.
James S. Clarkson.	Mervin Halstead.
Joseph C. Clifton.	Paul W. Hanlin.
Leonidas D. Coates, jr.	Henry O. Hansen.
Robert F. Coates.	Burton S. Hanson, jr.
James W. Coe.	William L. Harmon.
Doyle M. Coffee.	Ned Harrell.
Edward E. Colestock.	David A. Harris.
Richard J. H. Conn.	Charles D. Hart.
Ray R. Conner.	Robert C. Haven.
George Cook.	David D. Hawkins.
John Corbus.	Charles H. Hayes.
Howard G. Corey.	Hugh C. Haynsworth, jr.
John R. Craig.	John T. Hayward.
Robert R. Craighill.	James H. Hean.
Kyran E. Curley.	George L. Heap.
Dana B. Cushing.	Paul F. Heerbrandt.
Ruel S. Dally.	Harold M. Heiser.
James M. Daly.	Harold M. Heming.
James W. Davis.	Charles R. Herms.
Samuel D. Dealey.	Alexander S. Heyward, jr.
Jefferson R. Dennis.	Frank E. Highley, jr.
Paul L. de Vos.	Robert E. Hill.
John B. Dimmick.	Frederick V. H. Hilles.

Cyrus G. Hilton.	Roscoe L. Newman.
Joseph A. E. Hindman.	James H. Newsome.
Wellington T. Hines.	Roy A. Newton.
George M. Holley, jr.	Joshua J. Nix.
Ephraim P. Holmes.	Richard M. Nixon.
Peter H. Horn.	Kelvin L. Nutting.
Herschel A. House.	Emmet O'Beirne.
James H. Howard.	Davis W. Olney.
John G. Howell.	Charles H. Ostrom.
Charles C. Howerton.	George R. Over.
Horace S. Hubbard.	Arthur E. Owen.
Claud W. Hughes.	George G. Palmer.
John Hulme.	Robert M. Patten.
Richard C. D. Hunt, jr.	Robert E. Perkins.
Thomas B. Hutchins, 3d.	Mell A. Peterson.
Andrew McB. Jackson, jr.	Walter B. Phillips.
Walter T. Jenkins.	Herman A. Pieczentkowski.
Robert F. Jennings.	William S. Post, jr.
Frank L. Johnson.	Nicholas J. Pusel.
Raymond W. Johnson.	Lynne C. Quiggle.
Lafayette J. Jones.	Samuel M. Randall.
William C. Kaiser.	Samuel A. Randolph.
Edwin G. Kelly.	Frederick M. Reeder.
Durand Kiefer.	Walter A. Reinhard.
John O. Kinert.	Edward C. Renfro.
William H. Kirvan.	Everett O. Rigsbee, jr.
Denys W. Knoll.	Josephus A. Robbins.
Lyle L. Koepke.	Frank L. Robinson.
Albert P. Kohlhas, jr.	Allan B. Roby.
Albert Konigsberg.	James W. Rodgers.
George F. Kosco.	Charles H. A. Rohr.
Donald F. Krick.	Robert A. Rosasco.
James E. Kyes.	Russell R. Ross.
Peter R. Lackner.	Joseph A. Ruddy, jr.
Frederick W. Laing.	Lawrence E. Ruff.
James G. Lang.	Royal L. Rutter.
Herman N. Larson.	Jack S. Salisbury.
Rowland C. Lawver.	Henry G. Sanchez.
John E. Lee.	Eddie R. Sanders.
John M. Lewis.	William H. Sanders, jr.
Nicholas A. Lidstone.	Eugene T. Sands.
Horatio A. Lincoln.	Donald J. Sass.
Edward N. Little.	Gifford Scull.
Veldon O. Long.	George C. Seay.
Charles W. Lord.	John J. Shafer, 3d.
Vernon L. Lowrance.	Raymond N. Sharp.
William W. Lowrey.	Manley H. Simons, jr.
Frederic C. Lucas, jr.	John E. Sisson.
Nicholas Lucker, jr.	Frank T. Sloat.
Frank P. Luongo, jr.	Harry Smith.
Oliver DeM. T. Lynch.	Philip T. Smith, jr.
Edgar J. MacGregor, 3d.	William O. Snead, jr.
Hugh T. MacKay.	Hiram W. Spence.
Ray E. Malpass.	Richard T. Spofford.
Herbert H. Marable.	Arthur F. Spring.
George E. Marix.	Clyde B. Stevens, jr.
Edmund S. L. Marshall.	James E. Stevens.
Thomas W. Marshall, jr.	Harry C. Stevenson.
Charles B. Martell.	Francis S. Stich.
Lance E. Massey.	Robert J. Stroh.
Kleber S. Masterson.	Walter W. Strohbehn.
Laurance O. Mathews, jr.	Robert T. Sutherland, jr.
Charles T. Mauro, jr.	Robert D. Sutton.
Leo G. May.	Bryan F. Swan.
Raymond L. Mayo.	John F. Tatom.
Warren H. McClain.	Robert H. Taylor.
Charles E. McCombs.	James L. Thibault.
George T. McCready, jr.	William C. Thomas.
Montgomery L. McCullough, jr.	Thomas J. Thornhill, jr.
Richard D. McGlathery.	William G. Tisdale, jr.
Lou's D. McGregor, jr.	Bruce E. S. Trippensee.
John R. McKnight, jr.	Robert S. Trower, 3d.
Bowen F. McLeod.	Thaddeus J. Van Metre.
Ira E. McMillian.	Harry J. Verhoye.
Kenneth S. McPherson.	Mack E. Vorhees.
Albert S. Miller.	James O. Vosseller.
Frank B. Miller.	Alexander S. C. Wadsworth.
Theodore T. Miller.	Edwin O. Wagner.
William A. Moffett, jr.	Ellis K. Wakefield.
Robert L. Moore, jr.	Wilfred A. Walter.
William B. Moore.	Thomas S. Webb.
John A. Moreno.	Samuel P. Weller, jr.
Dudley W. Morton.	William F. Wesanen.
Elias B. Mott, 2d.	Charles L. Westhofen.
William T. Nelson.	Harold P. Westropp.
Byron B. Newell.	David L. Wheelchel.

Joe McA. Whitaker.
Oliver E. White.
Edson H. Whitehurst.
James D. Whitfield, jr.
William W. Wilbourne.
Macpherson B. Williams.
Francis E. Wilson.
Frank I. Winant, jr.
Walter C. Wingard, jr.

Thomas L. Wogan.
Royal A. Wolverton.
William T. Woodard.
James A. Woodruff, jr.
Thomas K. Wright.
Henry S. Wygant, jr.
William N. Wylie.
Joseph B. H. Young.

The following-named midshipmen to be assistant paymasters in the Navy, with the rank of ensign, from the 5th day of June, 1930:

Aubrey J. Bourgeois.
Laurence Cardwell.

Edward P. Dorner.
Walter F. Prien.

MARINE CORPS

Maj. Andrew B. Drum to be a lieutenant colonel in the Marine Corps from the 1st day of March, 1930.

First Lieut. William J. Mosher to be a captain in the Marine Corps from the 2d day of April, 1930.

Second Lieut. Walter I. Jordan to be a first lieutenant in the Marine Corps from the 10th day of April, 1930.

Second Lieut. Arthur W. Ellis to be a first lieutenant in the Marine Corps from the 19th day of April, 1930.

Second Lieut. Edwin C. Ferguson to be a first lieutenant in the Marine Corps from the 30th day of April, 1930.

The following-named midshipmen to be second lieutenants in the Marine Corps from the 5th day of June, 1930:

Paul Moret.
Thomas B. Hughes.
William B. McKean.
Glen G. Herndon.
Fred D. Beans.
Francis H. Williams.
Harold W. Bauer.
James T. Wilbur.
Ernest W. Fry, jr.
William B. Steiner.
Frank G. Wagner, jr.
Wallace M. Greene.
Alvin W. Neal.

Frank M. Reinecke.
Stewart Boyle.
Paul W. Russell.
Ronald D. Salmon.
John M. Davis.
Russell Lloyd.
Edward A. Montgomery.
Edgar O. Price.
Lawrence C. Brunton.
Samuel S. Yeaton.
Donald McP. Weller.
Walfried H. Fromhold.

HOUSE OF REPRESENTATIVES

THURSDAY, May 8, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Deliver us, blessed Lord, from the bondage of fear and from undue devotion to self. In all the ways of life—through anxiety, through perplexity, through loss, and through gain—may we be led by Him who is the way, the truth, the life. Give us faith of the future and hope that shall triumph over all. The mountains are Thine, the sky, the sun, the moon, and the stars; but it is Thine heart that hath made us. May we realize in our own earthly spheres the divinity of that love and use its power among men. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 389. An act for the relief of Kenneth M. Orr;
H. R. 707. An act to authorize an appropriation for construction at Fort McKinley, Portland, Me.;
H. R. 973. An act to remove the age limit of persons who may be confined at the United States Industrial Reformatory at Chillicothe, Ohio;
H. R. 1301. An act for the relief of Julius Victor Keller;
H. R. 1444. An act for the relief of Marmaduke H. Floyd;
H. R. 2161. An act to convey to the city of Waltham, Mass., certain Government land for street purposes;
H. R. 3527. An act to authorize credit in the disbursing accounts of certain officers of the Army of the United States for the settlement of individual claims approved by the War Department;
H. R. 4198. An act to authorize the exchange of certain lands adjoining the Catoosa Springs (Ga.) Target Range;
H. R. 5283. An act to declare valid the title to certain Indian lands;
H. R. 5726. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Salem,

Mass., and to the Salem Marine Society, of Salem, Mass., the silver-service set and bronze clock, respectively, which have been in use on the cruiser Salem;

H. R. 6338. An act authorizing the erection of a sanitary fire-proof hospital at the National Home for Disabled Volunteer Soldiers at Togus, Me.;

H. R. 6645. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Lions Club, of Shelbyville, Tenn., a bell of any naval vessel that is now, or may be, in his custody; and to the president of the Rotary Club, of Shelbyville, Tenn., a steering wheel of any naval vessel that is now, or may be, in his custody;

H. R. 7395. An act to extend to Government postal cards the provision for defacing the stamps on Government-stamped envelopes by mailers;

H. R. 7410. An act to establish a hospital for defective delinquents;

H. R. 7413. An act to amend an act providing for the parole of United States prisoners, approved June 25, 1910, as amended;

H. R. 8052. An act authorizing the heirs of Elijah D. Myers to purchase land in section 7, township 28 south, range 11 west, Willamette meridian, county of Coos, State of Oregon;

H. R. 8368. An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada;

H. R. 8650. An act to authorize the Postmaster General to charge for services rendered in disposing of undelivered mail in those cases where it is considered proper for the Postal Service to dispose of such mail by sale or to dispose of collect-on-delivery mail without collection of the collect-on-delivery charges or for a greater or less amount than stated when mailed;

H. R. 8713. An act granting land in Wrangell, Alaska, to the town of Wrangell, Alaska;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes;

H. R. 8805—An act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field;

H. R. 8973. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Charleston Museum, of Charleston, S. C., the ship's bell, plaque, war record, and silver service of the cruiser *Charleston* that is now or may be in his custody;

H. R. 9235. An act to authorize the Public Health Service to provide medical service in the Federal prisons;

H. R. 9434. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg.;

H. R. 10258. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.;

H. R. 10474. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark.;

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes;

H. R. 10674. An act authorizing payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty;

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.;

H. J. Res. 188. Joint resolution authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim; and

H. J. Res. 244. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to 11, 1930, inclusive.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 668. An act for the relief of A. J. Morgan;
H. R. 3975. An act to amend sections 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto;

H. R. 7768. An act to provide for the sale of the old post-office and courthouse building and site at Syracuse, N. Y.;

H. R. 8299. An act authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor;

H. R. 8562. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.; and

H. J. Res. 181. Joint resolution to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 135. An act to provide for the payment for benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes;

S. 196. An act to provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes;

S. 226. An act authorizing the issuing of certificates of arrival to persons born in the United States who are now aliens;

S. 969. An act for the relief of Edna B. Erskine;

S. 1072. An act for the relief of Gabriel Roth;

S. 1378. An act for the relief of Juan Anorbe, Charles C. J. Wirz, Rudolph Ponevacs, Frank Gueli, Steadman Martin, Athanasios Metaxiotis, and Olaf Nelson;

S. 1571. An act for the relief of William K. Kennedy;

S. 1644. An act authorizing the county of Vanderburgh, Ind., to construct, maintain, and operate a toll bridge across the Ohio River at or near Evansville, Ind.;

S. 1683. An act for the relief of John Heffron;

S. 1721. An act directing the retirement of acting assistant surgeon of the United States Navy at the age of 64 years;

S. 1851. An act for the relief of S. Vaughan Furniture Co., Florence, S. C.;

S. 2187. An act for the relief of S. Dwight Hunt;

S. 2498. An act to promote the better protection and the highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes;

S. 2567. An act granting travel pay and other allowances to certain soldiers of the Spanish-American War and the Philippine insurrection who were discharged in the Philippines;

S. 2721. An act to provide for the advancement on the retired list of the Navy of Frederick L. Caudle;

S. 2774. An act for the relief of Nick Rizou Theodore;

S. 2811. An act for the relief of Oscar R. Hahnel;

S. 2834. An act to establish a hydrographic office at Honolulu, Territory of Hawaii;

S. 2892. An act for the relief of Helen F. Griffin and Ada W. Allen;

S. 2896. An act granting the consent of Congress to the State of Oregon and the Stock Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Stock Slough, Coos Bay, Coos County, Ore.;

S. 2897. An act granting the consent of Congress to the State of Oregon and the Beaver Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Beaver Slough, Coquille River, Coos County, Ore.;

S. 2898. An act granting the consent of Congress to the State of Oregon and the Larson Slough Drainage District to construct, maintain, and cooperate a dam and dike to prevent the flow of tidal waters into Larson Slough, Coos Bay, Coos County, Ore.;

S. 3044. An act to amend section 39 of title 39 of the United States Code;

S. 3272. An act to authorize the dispatch from the mailing post office of metered permit matter of the first class prepaid at least 2 cents but not fully prepaid, and to authorize the acceptance of third-class matter without stamps affixed in such quantities as may be prescribed;

S. 3273. An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor;

S. 3277. An act to provide against the withholding of pay when employees are removed for breach of contract to render faithful service;

S. 3298. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Evansville, Ind.;

S. 3407. An act for the relief of Judson Stokes;

S. 3466. An act to legalize the water pipe line constructed by the Searcy Water Co. under the Little Red River near the town of Searcy, Ark.;

S. 3470. An act to define fruit jams, fruit preserves, fruit jellies, and apple butter, to provide standards therefor, and to amend the food and drugs act of June 30, 1906, as amended;

S. 3553. An act for the relief of R. A. Ogee, sr.;

S. 3555. An act authorizing the purchase, establishment, and maintenance of an experimental farm or orchard in Mobile County, State of Alabama, and authorizing an appropriation therefor;

S. 3586. An act for the relief of George Campbell Armstrong;

S. 3866. An act for the relief of Joseph N. Marin;

S. 3863. An act granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River at or near Talisheek, La.;

S. 3873. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo.;

S. 3950. An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans.;

S. 3965. An act to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles Rifle Range, St. Louis County, Mo.;

S. 4057. An act authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain reversioned and reconveyed lands in the State of Oregon;

S. 4098. An act to provide funds for cooperation with the school board at Browning, Mont., in the extension of the high-school building to be available to Indian children of the Blackfeet Indian Reservation;

S. 4140. An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes;

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.;

S. 4173. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Carrollton, Ky.;

S. 4174. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Dandridge-Newport Road, in Jefferson County, Tenn.;

S. 4203. An act to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes;

S. 4227. An act to authorize the Board of Education of the District of Columbia to make certain provisions for the relief of congestion in the public schools of the District of Columbia;

S. 4244. An act authorizing the continuance of William Tindall in the service of the government of the District of Columbia;

S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary-line streams of Kentucky; and

S. J. Res. 58. Joint resolution creating a commission to study proposals for a national system of express motorways and for other purposes.

THE TARIFF

Mr. HAWLEY. Mr. Speaker, I offer the following resolution and ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] offers a resolution, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 218

Resolved, That the House further insists on its disagreement to the amendments of the Senate to the bill H. R. 2667, numbered 364, 371, 885, 893, 903, 904, 1004, 1006, 1091, 1093, 1095, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1138, 1139, 1140, 1141, and 1151 relating to matters of substance; and amendments numbered 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 901, 902, 905, 906, 907, 908, 909, 910, 911, 913, 914, 915, 916, 917, 919, 920, 921, 922, 923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 940, 942, 945, 946, 947, 948, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 987, 989, 992, 993, 995, 997, 999, 1002, 1003, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1031, 1032, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1066, 1067, 1068, 1070, 1071, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089,

1090, 1094, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1109, 1111, 1112, 1156, 1157, 1171, and 1179 of a clerical nature, and agrees to the further conference with the Senate on the disagreeing votes of the two Houses thereon.

The SPEAKER. Is there objection?

Mr. RAMSEYER. Mr. Speaker, reserving the right to object—

Mr. CRAMTON. Mr. Speaker, I reserve the right to make a point of order.

Mr. RAMSEYER. Mr. Speaker, I want to know whether this resolution in any way negatives the action taken by the House on last Thursday, Friday, and Saturday?

Mr. HAWLEY. Not at all. It simply agrees to the request for a conference asked on the items that have not yet been settled between the two Houses.

Mr. RAMSEYER. The resolution reads: "Resolved, That the House further insist on its disagreement to the amendments of the Senate to the bill (H. R. 2667)," and then it numbers the amendments on which the House acted on last Thursday, Friday, and Saturday.

Mr. HAWLEY. The list of amendment contained in the resolution is a list of the amendments that the Senate sent back to us yesterday.

Mr. RAMSEYER. The action taken by the House on last Thursday, Friday, and Saturday, of course, will be considered as the last expression of the House?

Mr. HAWLEY. Certainly.

Mr. RAMSEYER. And it is the expression given on last Thursday, Friday, and Saturday that will govern the conferees representing the House in the conference?

Mr. HAWLEY. Yes.

Mr. TILSON. And where the action of the House was identical with the action of the Senate, such matter will not be in conference.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. The chairman of the committee [Mr. HAWLEY] asks unanimous consent for the immediate consideration of the resolution. I have no objection, but my parliamentary inquiry is, Is not the resolution now privileged?

The bill has been in conference. The conferees have reported a disagreement and the conferees are discharged. The rule requiring first consideration of Senate amendments by the Ways and Means Committee and by the House having performed its purpose, and the bill being in disagreement between the two Houses, and the object now being to get the two Houses together, is not this a privileged resolution?

The SPEAKER. The Chair does not think it is a privileged resolution. It undertakes to agree to a conference and to appoint conferees to consider some questions in dispute, entirely outside of the partial report that was made by the conferees, as the Chair understands. The Chair thinks it amounts to undertaking a conference de novo, which would require unanimous consent.

Mr. CRISP. I agree thoroughly with the Speaker, but my understanding of the rule is that, where there has been one conference and a disagreement and a partial report made, the disagreement still existing, it would be privileged to call it up and dispose of it, with a view of getting the minds of the two Houses together. I have no objection to the unanimous-consent request, but I was seeking the ruling of the Speaker as to whether it is privileged.

The SPEAKER. The Chair would hold that this is not a privileged matter. It undertakes to consider a certain definite group of amendments naming them. The Chair thinks that would not be a matter of privilege.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. This is an entirely new conference?

The SPEAKER. New conferees will have to be appointed.

Mr. GARNER. And the only things which those conferees are authorized to consider are the amendments that are contained in this resolution?

The SPEAKER. Absolutely.

Mr. GARNER. The conferees will have no jurisdiction whatever over the controversial items that have been agreed to and confirmed by the House last week?

The SPEAKER. None whatever.

Mr. GARNER. And if this conference should undertake to deal with those provisions of the tariff bill where the minds of the conferees have met and a meeting of minds has been reported, a point of order could be made against that and the point of order would be good?

The SPEAKER. Without question, that is true. The conferees have no power to go into any other matters.

Mr. GARNER. Now, reserving the right to object, let me ask the gentleman from Oregon [Mr. HAWLEY] a question along the line of the question asked by the gentleman from Iowa [Mr. RAMSEYER]. If I understand this resolution, in substance it is that the House further insists upon its position and agrees to the conference asked by the Senate, on these particular amendments?

Mr. HAWLEY. On the amendments named in the resolution, yes.

Mr. GARNER. Those amendments named in the resolution. Now what is the position of the House with reference to sugar, for instance?

Mr. HAWLEY. It is out of the picture.

Mr. GARNER. No; your resolution does not take it out of the picture.

Mr. CRAMTON. It is out of the picture.

Mr. GARNER. No. This resolution still deals with that amendment.

Mr. HAWLEY. The conferees could not consider it now.

Mr. GARNER. Are shingles on the list?

Mr. HAWLEY. No.

Mr. GARNER. None of those amendments, on which the House has concurred in the action of the Senate, is on the list?

Mr. HAWLEY. None is on the list.

Mr. GARNER. Then I am in error about it. I have no objection, Mr. Speaker.

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, to my mind this is the most amazing parliamentary maneuver that I have ever seen in the time I have been in Congress.

The Speaker has ruled that we are now arranging a new conference. The personnel of the conference may be the same as the personnel of the former conference, but it is a different conference, has a different jurisdiction, and its jurisdiction is limited to the very few amendments enumerated.

Now, it is within the knowledge of the House that the former conference agreed upon some 1,200 amendments; that their report was made to the two bodies; that the House adopted the report of the conference as to those 1,200 amendments, but there is nothing in the message from the Senate to indicate that the Senate has adopted the report of that conference. I think we may be pardoned for stating that we all know the Senate has not adopted the report of the former conference. Accordingly there is one conference report floating around here adopted by the House but not yet agreed to by the Senate. I do not believe there is anyone on this floor who has ever before seen the House act with reference to a few amendments in disagreement until the other body had either accepted or rejected the report of the former conference. If the Senate had rejected the report of the former conference then the action of the House in accepting it would have been nullified and those 1,200 amendments would again be open to amendment by a conference, including the long-staple cotton of the South as well as everything else where the Senate amendments had not been agreed to by a vote of the House as, I regret to say, was the case in regard to sugar.

If the Senate had rejected that report, then those questions would have been opened up, and I presume there are Members of the House who would have liked a chance to vote on the agreement arrived at in conference after they voted on lumber, shingles, and sugar, just as much as any Member of any other body might like that chance. By what kind of parliamentary legerdemain a course can be arrived at—which will be in order—that will permit the former report of the conference to float around unacted upon by one body and then proceed to appoint a second conference on the same bill before the report of the first conference has been disposed of I do not understand. That is the parliamentary inquiry I desire to propound to the Speaker, and I ask him to explain how it can be done, because I do not think it can be done in a parliamentary fashion.

The SPEAKER. The Chair may say that he is debarred, by his own ruling some days ago, from expressing his opinion of this form of procedure. However, under existing conditions the Chair thinks this is the only way we could possibly proceed if we desire to speed up the settlement of the conference.

Mr. CRAMTON. As I recall the opinion of the Speaker, it emphasized that complimentary as well as uncomplimentary expressions were barred, but in this case I do not believe the Speaker was emphasizing that part of his opinion.

The SPEAKER. The Speaker did not say what his opinion was.

Mr. CRAMTON. I do think we have the right to express an opinion as to the procedure of this body. My own humble opinion is that the proper way for this House to protect itself, protect its own dignity, protect the rights of its own Members, and stand up for orderly parliamentary procedure, would be to

send a resolution to the other body stating that until they had disposed of the previous conference report we could not ask for another conference. [Applause.] If we follow up the procedure that is now pending, there will come a time when the other body will have before it the reports of two conferences on the same bill. I reserve the right to object to the resolution.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. The inquiry of the gentleman from Michigan was very pertinent and raises a question for serious thought and consideration. I, of course, appreciate the Speaker's position that he will not express any opinion as to what might be done in the Senate. My inquiry is this: The House has control over its own conferees, and this resolution is for the House to further insist on its disagreements to certain amendments named, and it does not deal with the partial conference report that the House has adopted. Now my inquiry is: Under these conditions, and if this resolution is adopted, have the House conferees in the new conference the right to agree to anything in conference that changes the partial conference report that has been adopted by the House?

The SPEAKER. Absolutely not. In the opinion of the Chair, the powers of the new conferees to be appointed relate solely to those differences which are enumerated in the resolution itself, and if they should exceed those powers, a point of order would be sustained.

Mr. CRAMTON. Now, Mr. Speaker, if I may add a parliamentary inquiry that I trust will not embarrass the Speaker, if this conference is agreed to and these conferees go into session upon these very few items, and if they come to an agreement and if that agreement is expressed in a report, and if that report is adopted by another body as well as by this body, those items are then disposed of. If thereafter the Senate should refuse to accept the report of the conference already held and already on file, then all of those 1,200 items, including long-staple cotton and a number of other things that gentlemen from the South and New England and elsewhere are much interested in, would be again opened up to full and free conference; in other words, refusal of the Senate to adopt that report would again open up the other 1,200 items, but these few items would be closed.

Mr. CRISP. Undoubtedly.

The SPEAKER. Unquestionably, if the Senate should in due time act on the report so far made and agreed to by the House, and should act adversely, the items embodied in the report itself would be again thrown open.

Mr. CRAMTON. Mr. Speaker, may I make this further statement? I am as anxious as anyone to see this tariff bill proceed to early enactment, but I do not believe that it ever should become necessary for this House to abandon orderly, well-established methods of parliamentary procedure at the whim of some other body, and I am obliged to object.

The SPEAKER. Objection is heard.

PETRIFIED FOREST NATIONAL MONUMENT, ARIZ.

Mr. COLTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6874) to authorize exchanges of land with owners of private-land holdings within the Petrified Forest National Monument, Ariz., with a Senate amendment, and concur in the Senate amendment.

I may say, Mr. Speaker, I have conferred with the minority members of the committee, and this action is agreeable to them.

The SPEAKER. The gentleman from Utah asks unanimous consent to take from the Speaker's table the bill H. R. 6874, with a Senate amendment, and concur in the same. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 10, after "lands," insert "located outside the exterior boundaries of the said monument."

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Senate amendment was agreed to.

UNITED STATES VERSUS THE SINCLAIR CRUDE OIL PURCHASING CO.

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (S. J. Res. 165) authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware, and immediately consider the same.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of a Senate joint resolution, which the Clerk will report.

The Clerk read the Senate resolution, as follows:

Resolved, etc., That Special Counsel Atlee Pomerene and Owen J. Roberts, representing the United States, be, and they are hereby, authorized to settle the case of United States against Sinclair Crude Oil Purchasing Co. (No. 1431, civil), now pending in the District Court of the United States for the District of Delaware for the sum of \$2,906,484.32, which sum is now deposited by the defendant in escrow pending approval of such settlement by the Congress.

Resolved, That upon receipt of said sum by the Treasurer of the United States said special counsel be, and hereby are, authorized to satisfy any judgment which may be entered in said cause against the defendant pursuant to such settlement, upon payment by defendant of the record costs therein.

Mr. IRWIN. Mr. Speaker, in explanation of the resolution which I have called up this morning, I may state it is a resolution authorizing the settlement of a claim of the United States against the Sinclair Crude Oil Purchasing Co. now pending in a suit in the district court of the State of Delaware.

I think all the Members are acquainted with the facts in this matter. In 1924 a resolution was passed by both Houses authorizing the President to proceed against the Mammoth Oil Co. in reference to what is known as the Teapot Dome matter. The President employed two able attorneys, Mr. Pomerene and Mr. Roberts, to enter suit against the Mammoth Oil Co. These gentlemen entered suit in the State of Wyoming to recover for the oil illegally taken under the lease known as the Teapot Dome lease.

After entering the suit they found that the Mammoth Oil Co. was insolvent. They thereupon entered suit against the Sinclair Crude Oil Purchasing Co. for the amount of oil illegally extracted.

This suit is now pending in the district court of the State of Delaware. The purpose of the resolution is to authorize the President of the United States to agree to the settlement that has been agreed upon between the special counsel of the Government and the Sinclair Oil Co.

Mr. BYRNS. Will the gentleman yield?

Mr. IRWIN. Yes.

Mr. BYRNS. How much was involved in the suit?

Mr. IRWIN. Two million nine hundred and six thousand dollars plus.

Mr. BYRNS. And what is the settlement reached?

Mr. IRWIN. The settlement is based on the amount of oil, as shown by the books of the Sinclair Oil Co., that was actually taken from the ground illegally, plus 7 per cent interest, the legal rate of interest in the State of Wyoming, from the time of the extraction of such oil up to the 6th day of April of this year.

Mr. BYRNS. Then, as I understand the gentleman, the proposed settlement contemplates that the Sinclair Oil Co. shall pay a proper amount for all of the oil that was received by it from this Government property, plus 7 per cent?

Mr. IRWIN. Yes; the gentleman is quite right.

Mr. BYRNS. Of course, I take it that even if the suit were prosecuted, no more than this amount could be recovered. In other words, the Government could not recover more than the actual value of the oil.

Mr. IRWIN. I will state to the gentleman from Tennessee that the recommendation of the attorneys who have gone into the matter very thoroughly, is that this is a fair and equitable settlement, and in order to bind the agreement, as far as the oil company is concerned, they have placed in the Chase National Bank of New York City, the amount of \$2,906,000 plus. This amount has been placed there in good faith and it is now there waiting for this resolution to be passed.

Mr. BYRNS. And as I understand, both Mr. Roberts and Mr. Pomerene, representing the Government, have recommended this settlement.

Mr. IRWIN. They have. The resolution which follows their recommendation was passed by the Senate on the 14th day of April, 1930.

Now I want to state further. It is a little unusual for a chairman of the Claims Committee to come before the House asking for the consideration of a bill that puts money into the Treasury. As a rule he is here asking for the consideration of a bill that takes money out of the Treasury. I want to submit the reason why we are asking for the consideration of this bill. There are two reasons. Before the lease was held to be illegal the Sinclair Oil Co. erected 17 tanks on these premises, each tank having a capacity of 55,000 barrels of oil.

The attorneys think that although the tanks were put on the land while it was supposed to be legal the Sinclair Oil Co. asks to be remunerated for a part of the cost of the tanks. It is a fact that the United States is using the tanks now to store oil for the Navy Department, and the special counsel appointed

by the President, who went into the matter thoroughly, say that they think that that is an equitable claim.

Mr. BYRNS. Then that is still a claim against the Government.

Mr. IRWIN. They have turned the tanks over to the Government as second-hand or scrap iron, and the special counsel has recommended that they be allowed a reasonable sum for what is called second-hand or scrap iron. Seventeen tanks at \$10,000 each would make an item of \$170,000.

Mr. BYRNS. Then the Government is paying for the tanks?

Mr. IRWIN. The Government is allowing perhaps one-fifth or one-tenth of the original cost. I am taking the recommendation of counsel who went into the matter thoroughly.

Mr. BYRNS. Does the gentleman know on what kind of evidence they made the recommendation that the so-called scrap iron is worth \$10,000 each?

Mr. IRWIN. The men came before the committee and explained the matter. We had a lengthy discussion with them this morning, and they feel that that is reasonable compensation, these tanks having a capacity of 55,000 barrels of oil each.

Mr. BYRNS. What did they cost originally?

Mr. IRWIN. That I can not say. The special counsel appointed by the President has recommended that this be allowed as a reasonable charge against the Government.

Mr. BYRNS. Those of us who have no knowledge of what the original cost was can have no personal opinion of what should be allowed for these old tanks.

Mr. TILSON. The gentleman is following the advice of the Government counsel?

Mr. IRWIN. Yes; and we feel safe in following these men, who have been into this matter thoroughly.

Mr. BYRNS. I know Mr. Roberts and Mr. Pomerene, who represent the Government. They are men of the highest character and have very ably represented the Government throughout these oil proceedings. I am sure that these gentlemen would not recommend anything that was not in the interest of the Government.

Mr. IRWIN. We are merely following out the recommendation that was made to us.

Mr. EDWARDS. Does the gentleman yield?

Mr. IRWIN. Certainly.

Mr. EDWARDS. As I understand, the resolution authorizes these men to make negotiations and accept a settlement, to enter into terms of settlement by the advice and consent of Congress?

Mr. IRWIN. That is true.

Mr. EDWARDS. They have done what they were authorized to do?

Mr. IRWIN. Yes.

Mr. EDWARDS. Was there any evidence before your committee as to the amount of oil taken from the land?

Mr. IRWIN. They assured us that they went over all of the books of the Sinclair Oil Co. thoroughly, and this is for the full amount of oil extracted plus 7 per cent interest.

Mr. EDWARDS. That is the amount to be returned to the Government?

Mr. IRWIN. Yes. This money is now held in escrow in the Chase National Bank in New York City, and the reason for bringing this up to-day is that I felt it is an emergency in so far that the Government is losing \$315 a day interest, compounded at the rate of 4 1/4 per cent. Therefore I am asking that this resolution be adopted because, on the recommendation of counsel, I think the Government is making a good bargain.

Mr. COLLINS. Was there any controversy over this resolution in the Senate?

Mr. IRWIN. No. It was reported from the land committee, and if the gentlemen will turn to pages 5593-5594 of the CONGRESSIONAL RECORD, they will see the entire proceedings of the Senate. It was reported unanimously and passed by the Senate.

I yield five minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Speaker, I am concurring heartily in this settlement, and so are all of the members of the Claims Committee, so far as I know. However, I think the House should understand that the Claims Committee was not able to go into all of the details of this settlement. They were complicated. It would have required more than we were able to do. However, former Senator Pomerene, one of the counsel representing the Government, appeared before us and presented the views of the attorneys representing the Government. They had been retained, as the House will remember, by President Coolidge under resolution passed by both branches of the Congress, authorizing a number of prosecutions and other litigation. They are men of the highest character and ability. The presentment by Senator

Pomerene made to our committee indicates that the Government is getting practically all that it could possibly recover under any circumstances, and it appeared to the committee, as it appears to me, that it is to the interest of the Government to confirm this settlement. It will fail unless settlement is closed within a reasonable time. The money is already on deposit in the Chase National Bank, and all of the circumstances indicate that the settlement ought to be made. I hope the House will adopt the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

THE TARIFF

Mr. HAWLEY. Mr. Speaker, I renew my request made a moment ago for the consideration of the resolution I presented sending the tariff bill to conference.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I do not intend to do, though I still think I have the right to do it, I am advised that if unanimous consent is not given a rule will be brought in to accomplish the same purpose, so that all I could accomplish by objection now would be delay. That I do not desire, and I do not object.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. GARNER. Mr. Speaker, I offer the following motion to instruct the conferees before they are appointed, which I send to the desk.

The Clerk read as follows:

Mr. GARNER moves to instruct the conferees to agree to Senate amendment No. 893, known as the free-cement amendment.

Mr. GARNER. Upon that motion I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas to instruct the conferees in the manner indicated.

The question was taken, and the Chair announced that the yeas appeared to have it.

Mr. GARNER. Mr. Speaker, I make the point of order that there is no quorum present and object to the vote upon that ground.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 138, nays 156, not voting 134, as follows:

[Roll No. 36]

YEAS—138

Abernethy	Doughton	Kading	Patterson
Allen	Douglas, Mass.	Kemp	Quin
Allgood	Dowell	Kerr	Ragon
Almon	Doxey	Kincheloe	Rainey, Henry T.
Andresen	Drewry	Knutson	Ramseyer
Arnold	Driver	Kopp	Ramspeck
Aswell	Edwards	Kvale	Rankin
Ayres	Eslick	LaGuardia	Rayburn
Bankhead	Evans, Mont.	Lambertson	Robinson
Bell	Frear	Lampert	Rutherford
Bland	Fuller	Lanham	Sabath
Box	Fulmer	Lankford, Ga.	Sanders, Tex.
Brand, Ga.	Gambrill	Larsen	Sandlin
Briggs	Garber, Okla.	Lea	Schneider
Brown	Garner	Linthicum	Selvig
Browning	Gasque	Lozier	Sinclair
Buchanan	Glover	McClintic, Okla.	Sparks
Busby	Goodwin	McCormack, Mass.	Sproul, Kans.
Campbell, Iowa	Green	McDuffie	Stegall
Cannon	Greenwood	McMillan	Summers, Wash.
Cartwright	Gregory	McSwain	Summers, Tex.
Christgau	Griffin	Mansfield	Swanson
Christopherson	Hall, N. Dak.	Milligan	Tarver
Clague	Halsey	Montague	Thurston
Clark, N. C.	Hammer	Montet	Vinson, Ga.
Collins	Hare	Moore, Ky.	Welch, Calif.
Connery	Hill, Ala.	Moore, Va.	Whittington
Cooper, Tenn.	Hoch	Morehead	Williams
Cooper, Wis.	Hope	Nelson, Mo.	Williamson
Cox	Howard	Nolan	Wilson
Crisp	Huddleston	O'Connor, Okla.	Wingo
Crosser	Hull, Wis.	Oldfield	Woodrum
Davis	Johnson, Okla.	Oliver, Ala.	Wright
DeRouen	Johnson, Tex.	Parks	
Domlnick	Jones, Tex.	Patman	

NAYS—156

Ackerman	Doutrich	Irwin	Schafer, Wis.
Addins	Drane	Jenkins	Sears
Aldrich	Dunbar	Johnston, Mo.	Seiberling
Arentz	Eaton, Colo.	Kahn	Shaffer, Va.
Bachmann	Eaton, N. J.	Kearns	Short, Mo.
Bacon	Ellis	Ketcham	Short, W. Va.
Barbour	Englebright	Kinzer	Simmons
Beers	Esterly	Korell	Simms
Bloom	Evans, Calif.	Lankford, Va.	Sloan
Bohn	Fenn	Leavitt	Smith, Idaho
Bowman	Fish	Letts	Smith, W. Va.
Brigham	Fisher	Luce	Snell
Buckbee	Fitzgerald	McClintock, Ohio	Snow
Burtness	Fitzpatrick	McFadden	Speaks
Butler	Foss	McLaughlin	Spearing
Byrns	Free	McLeod	Sproul, Ill.
Campbell, Pa.	Freeman	McKeown	Strong, Kans.
Carter, Calif.	French	Manlove	Strong, Pa.
Carter, Wyo.	Gibson	Mapes	Swing
Chalmers	Golder	Menges	Taber
Chindblom	Granfield	Merritt	Taylor, Tenn.
Clancy	Guyer	Michener	Temple
Clark, Md.	Hadley	Miller	Thatcher
Clarke, N. Y.	Hale	Morgan	Thompson
Cochran, Mo.	Hall, Ill.	Murphy	Tilson
Cochran, Pa.	Hancock	Nelson, Me.	Timberlake
Cole	Hardy	Niedringhaus	Tinkham
Colton	Haugen	O'Connor, La.	Tucker
Cooper, Ohio	Hawley	Palmer	Underhill
Corning	Hess	Pittenger	Vincent, Mich.
Crail	Hickey	Prall	Wainwright
Cramton	Hill, Wash.	Pratt, Harcourt J.	Wason
Culkin	Hogg	Purnell	Watres
Cullen	Holaday	Ramey, Frank M.	Watson
Darrow	Hooper	Reece	Wigglesworth
Davenport	Hopkins	Reed, N. Y.	Wolverton, N. J.
Denison	Houston, Del.	Reid, Ill.	Wood
Dickstein	Hudson	Rowbottom	Woodruff
Douglas, Ariz.	Hull, William E.	Sanders, N. Y.	Wurzbach

NOT VOTING—134

Andrew	Elliott	Kurtz	Rogers
Auf der Heide	Estep	Langley	Romjue
Bacharach	Finley	Leach	Seger
Baird	Port	Lehbach	Shreve
Beck	Garber, Va.	Lindsay	Sirovich
Beedy	Garrett	Ludlow	Somers, N. Y.
Black	Gavagan	McCormick, Ill.	Stafford
Blackburn	Gifford	McKeown	Stalker
Bolton	Goldsborough	Maas	Stedman
Boylan	Graham	Magrady	Stevenson
Brand, Ohio	Hall, Ind.	Martin	Stobbs
Britten	Hall, Miss.	Mead	Stone
Brumm	Hartley	Michaelson	Sullivan, N. Y.
Brunner	Hastings	Mooney	Sullivan, Pa.
Burdick	Hoffman	Moore, Ohio	Swick
Cable	Hudspeth	Mouser	Taylor, Colo.
Canfield	Hull, Tenn.	Nelson, Wis.	Treadway
Carley	Hull, Morton D.	Newhall	Turpin
Celler	Igoe	Norton	Underwood
Chase	James	O'Connell, N. Y.	Vestal
Collier	Jeffers	O'Connell, R. I.	Walker
Connolly	Johnson, Ill.	O'Connor, N. Y.	Warren
Cooke	Johnson, Ind.	Oliver, N. Y.	Welsh, Pa.
Coyle	Johnson, Nebr.	Owen	White
Craddock	Johnson, S. Dak.	Palmisano	Whitehead
Cross	Johnson, Wash.	Parker	Whitley
Crowther	Jonas, N. C.	Peavey	Wolfenden
Curry	Kelly	Perkins	Wolverton, W. Va.
Dallinger	Kendall, Ky.	Porter	Wyant
Dempsey	Kendall, Pa.	Pou	Yates
De Priest	Kennedy	Pratt, Ruth	Yon
Dickinson	Kiefner	Pritchard	Zihlman
Doyle	Kiess	Quayle	
Dyer	Kunz	Ransley	

So the motion was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Dickinson (for) with Mr. O'Connell of New York (against).
 Mr. Canfield (for) with Mr. Bacharach (against).
 Mr. Johnson of South Dakota (for) with Mr. Quayle (against).
 Mr. Yon (for) with Mr. Shreve (against).
 Mrs. Norton (for) with Mrs. Rogers (against).
 Mr. Brunner (for) with Mr. Elliott (against).
 Mrs. Langley (for) with Mr. Ludlow (against).
 Mr. Maas (for) with Mr. Lindsay (against).
 Mr. Oliver of New York (for) with Mr. Kiess (against).
 Mr. Stedman (for) with Mr. Britten (against).
 Mr. Whitehead (for) with Mr. Connolly (against).
 Mr. Hastings (for) with Mr. Crowther (against).
 Mr. McKeown (for) with Mr. Dyer (against).
 Mr. Nelson of Wisconsin (for) with Mr. Black (against).
 Mr. Auf der Heide (for) with Mr. Welsh of Pennsylvania (against).
 Mr. Garrett (for) with Mr. Graham (against).
 Mr. Kendall of Kentucky (for) with Mr. Boylan (against).
 Mr. Craddock (for) with Mr. Carley (against).
 Mr. Walker (for) with Mr. Celler (against).
 Mr. Stafford (for) with Mr. Gavagan (against).
 Mr. Brand of Ohio (for) with Mr. Sullivan of New York (against).
 Mr. Romjue (for) with Mr. Seger (against).
 Mr. Warren (for) with Mr. Beedy (against).
 Mr. Stevenson (for) with Mr. Treadway (against).
 Mr. Hull of Tennessee (for) with Mr. Vestal (against).
 Mr. Cross (for) with Mr. Moore of Ohio (against).
 Mr. Hall of Mississippi (for) with Mr. Yates (against).
 Mr. Mooney (for) with Mr. Kiefner (against).
 Mr. Kunz (for) with Mr. Ransley (against).
 Mr. Jeffers (for) with Mr. Mead (against).
 Mr. Peavey (for) with Mr. Swick (against).
 Mr. Underwood (for) with Mr. O'Connor of New York (against).

Mr. Pou (for) with Mr. Martin (against).
 Mr. Palmisano (for) with Mr. Kennedy (against).
 Mr. Taylor of Colorado (for) with Mr. Igoe (against).
 Mr. Hull, Morton D., (for) with Mr. Lehbach (against).

Until further notice:

Mr. Kendall of Pennsylvania with Mr. Hudspeth.
 Mr. Beck with Mr. O'Connell of Rhode Island.
 Mr. Fort with Mr. Sirovich.
 Mr. Johnson of Washington with Mrs. Owen.
 Mr. Porter with Mr. Stone.
 Mr. Blackburn with Mr. Chase.
 Mr. Dallinger with Mr. Magrady.
 Mr. Jonas of North Carolina with Mr. Kurtz.
 Mr. Johnson of Indiana with Mr. Burdick.
 Mr. Gifford with Mr. White.
 Mr. Estep with Mr. Dempsey.
 Mr. Wolfenden with Mr. Newhall.
 Mr. Curry with Mr. Bolton.
 Mr. Hall of Indiana with Mr. Johnson of Illinois.
 Mr. Turpin with Mr. Perkins.
 Mr. Wyant with Mrs. McCormick of Illinois.
 Mr. Wolverton with Mr. Davenport.

The result of the vote was announced as above recorded.

The SPEAKER. The Chair appoints as conferees on the part of the House Mr. HAWLEY, Mr. TREADWAY, Mr. BACHARACH, Mr. GARNER, and Mr. COLLIER.

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE CELEBRATION OF AMERICAN INDEPENDENCE BY THE LEWIS AND CLARK EXPEDITION

Mr. SNELL. Mr. Speaker, I present a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Concurrent Resolution 28

Resolved by the House of Representatives (the Senate concurring), That a committee of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall represent the Congress of the United States at the one hundred and twenty-fifth anniversary of the celebration of American independence by the Lewis and Clark Expedition on July 4, 1805, at a point adjacent to what is now Great Falls, Mont., to be held at Great Falls, Mont., on July 4, 1930. The members of such committee shall be paid their actual expenses, one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives.

The SPEAKER. Referred to the House Calendar and ordered to be printed.

GERMAN DEBT SETTLEMENT

Mr. SNELL. Mr. Speaker, I present another privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 219

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10480, a bill to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the costs of the United States army of occupation. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. Referred to the House Calendar and ordered printed.

Mr. GARNER. Mr. Speaker, may I ask the gentleman from New York when he expects to call up this German debt resolution?

Mr. SNELL. I expect to call it up immediately after the consideration of the naval bill.

CERTAIN PUBLIC WORKS BY THE NAVY DEPARTMENT

Mr. WOODRUFF. Mr. Speaker, I call up the conference report on the bill S. 549, and ask that the accompanying statement be read in lieu of the report.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The SPEAKER. Without objection, the Clerk will report the statement in lieu of the report.

There was no objection.
The statement was read.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows:

Page 1, after line 5 of the House engrossed amendment, insert the following:

"Naval station, San Diego, Calif.: One small floating dry dock, \$425,000."

Page 9, lines 18 to 24, inclusive, and page 10, lines 1 to 5, inclusive, of the House engrossed amendment, strike out:

"Sec. 10. That the Secretary of the Navy be, and he hereby is, authorized to lease for periods not exceeding 10 years, and revocable on 6 months' notice, the floating dry dock and water-front accessories at the naval station, New Orleans (Algiers), La., and to credit to the rental the reasonable cost of such repairs to said property as the lessee may be required to make to prevent physical deterioration. All remaining money received from any such lease shall be covered into the Treasury as miscellaneous receipts. Such leases shall be reported to Congress: *Provided*, That said floating dry dock and accessories shall not be removed from the vicinity of New Orleans."

And insert in lieu thereof the following:

"Sec. 10. That the Secretary of the Navy be, and he hereby is, authorized to lease for periods not exceeding 10 years, and revocable on 6 months' notice, or at his discretion in case of national emergency declared by the President, the floating dry dock and water-front accessories at the naval station, New Orleans (Algiers), La., to the highest bidder at a rental that will not permit operations of the dock on other than a fair competitive basis with other local shipbuilding and ship-repair plants operating dry docks, and the money received from the said rental shall be covered into the Treasury as miscellaneous receipts. Such leases shall be reported to Congress: *Provided*, That said floating dry dock and accessories shall not be removed from the vicinity of New Orleans."

ROY O. WOODRUFF,
GEORGE P. DARROW,
CARL VINSON,

Managers on the part of the House.

FREDERICK HALE,
TASKER L. ODDIE,
SAMUEL M. SHORTRIDGE,
CLAUDE A. SWANSON,
PARK TRAMMELL,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, submit the following statement explaining the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

Page 1, after line 5, of the House engrossed amendment, insert the item providing for one small floating dry dock at the naval station, San Diego, Calif., at a cost of \$425,000, as proposed in the Senate bill and also as reported favorably by the Committee on Naval Affairs of the House.

Page 9, section 10, of the House engrossed amendment clarifies the language, as proposed by the Senate, in authorizing the leasing of the floating dry dock at the naval station, New Orleans (Algiers), La.

ROY O. WOODRUFF,
GEORGE P. DARROW,
CARL VINSON,

Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I call up the conference report on the bill H. R. 6564, the Interior Department appropriation bill.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The Clerk will report the statement.

Following are the conference report and accompanying statement:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, 6, 7, 89, 95, 106, 107, and 126.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 76, 77, 78, 79, 83, 84, 85, 86, 87, 91, 92, 93, 94, 96, 99, 100, 103, 104, 105, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, and 124, and agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "For 250 pupils, \$76,250"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$91,250"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,093,250"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$350,000"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "*Provided*, That this appropriation shall not be subject to the limitation in section 1 of the act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That not to exceed \$1,800 of this appropriation may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be printed at an Indian school: *And provided further*"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: On page 59 of the bill, line 12, strike out "\$256,700" and insert in lieu thereof "\$268,700"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,297,538.46"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "thirty"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "Provided further, That the Secretary of the Interior is authorized to sell at not less than the appraised valuation transmission lines, substations, and so forth, no longer needed for construction, operation, and maintenance of the project"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,789,800"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment insert, after the word "monuments," the following: "evidence of title thereto to be satisfactory to the Secretary of the Interior"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 98 and 102.

LOUIS C. CRAMTON,
FRANK MURPHY,
EDWARD T. TAYLOR,

Managers on the part of the House.

W. L. JONES,
REED SMOOT,
L. C. PHIPPS,
WILLIAM J. HARRIS,
KENNETH MCKELLAR,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to each of such amendments, namely:

OFFICE OF THE SECRETARY

On No. 1: Appropriates \$50,000, as proposed by the Senate, to carry out the provisions of the act of April 10, 1930, authorizing a study on the conservation and administration of the public domain.

BUREAU OF INDIAN AFFAIRS

On No. 2: Makes no appropriation for payment to Charles J. Kappler for compiling, annotating, and indexing the fourth volume of Indian Laws and Treaties, that work having been authorized only by a Senate resolution.

On Nos. 3 and 4: Appropriates \$500,000, as proposed by the House, instead of \$525,000, as proposed by the Senate, for industrial assistance among Indians, of which \$175,000, as proposed by the House, instead of \$200,000, as proposed by the Senate, shall be available for expenditure for the benefit of the Pima Indians.

On Nos. 5, 6, and 7: Restore the House language authorizing the use of a certain appropriation for construction of a power plant in connection with the Flathead irrigation project.

On No. 8: Reappropriates unexpended balance of appropriation for payment to the Middle Rio Grande Conservancy District.

On No. 9: Appropriates \$3,267,000, as proposed by the Senate, instead of \$3,062,000, as proposed by the House, for support of Indian day and industrial schools not otherwise provided for.

On No. 10: Corrects spelling of a word.

On No. 11: Appropriates, from tribal funds, \$233,200, as proposed by the Senate, instead of \$220,000, as proposed by the House, for the support of schools and for tuition among the Five Civilized Tribes.

On No. 12: Appropriates \$64,000, as proposed by the Senate, for subsistence of pupils retained in Government boarding schools of all classes during summer months.

On Nos. 13 and 14: Make immediately available, as proposed by the Senate, \$20,000 of the appropriation for the enlargement of the Western Navajo Boarding School, Arizona, and \$20,000 for employees' quarters for the Fort Apache Boarding School, Arizona.

On No. 15: Appropriates \$11,500, as proposed by the Senate, for additional public-school buildings within Indian reservations in Arizona attended by children of the Indian Service, such schools to be equipped and maintained by the State of Arizona.

On Nos. 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 76, 77, 78, and 79: Appropriate enlarged amounts for the support and maintenance of nonreservation boarding schools for the carrying out of a well-rounded and complete school program during the fiscal year 1931, as recommended by the President in House Document No. 355, Seventy-first Congress, second session, such increases being available for all necessary purposes in connection with such support and maintenance of said schools.

On No. 18: Reappropriates, as proposed by the Senate, the appropriation heretofore made for new hospital and equipment at Phoenix (Ariz.) Indian School.

On No. 28: Makes immediately available, as proposed by the Senate, appropriation for girls' dormitory, Haskell Institute, Lawrence, Kans.

On No. 35: Appropriates \$15,000, as proposed by the Senate, for home economics building, Genoa Indian School, Nebraska.

On No. 36: Corrects total.

On Nos. 56, 58, and 59: Make immediately available, as proposed by the Senate, the appropriations for laundry building and for construction and equipment of shop building at the Sequoyah Orphan Training School, Oklahoma.

On No. 57: Eliminates the appropriation proposed by the House for construction and equipment of electric lines from Tahlequah to the Sequoyah Orphan Training School.

On No. 60: Corrects total.

On No. 68: Makes immediately available, as proposed by the Senate, an appropriation for gymnasium at the Chemawa Indian School, Salem, Oreg.

On No. 74: Appropriates \$76,250 for support of 250 pupils at Rapid City Indian School, South Dakota, instead of \$55,000, as proposed by the House, for 200 pupils, and \$91,500 for 300 pupils, as proposed by the Senate.

On No. 75: Corrects total.

On No. 80: Corrects total.

On No. 81: Appropriates \$350,000 instead of \$300,000, as proposed by the House, and \$450,000, as proposed by the Senate, for aid to common schools in Oklahoma.

On No. 82: Restores the House language removing the appropriation for aid to common schools in Oklahoma from the statutory limitation as to the percentage of Indian blood among pupils benefiting therefrom. Also restores the House language with reference to the publication of an Indian school paper with an amendment requiring it to be printed at an Indian school.

On No. 83: Accepts the Senate language with reference to truancy officers in Oklahoma.

On No. 84: Appropriates \$375,000, as proposed by the Senate, instead of \$350,000, as proposed by the House, for support of schools among the Sioux Indians.

On Nos. 85 and 86: Appropriates \$3,073,000, as proposed by the Senate, instead of \$3,105,000, as proposed by the House, for conservation of health among Indians, of which \$2,008,000, as proposed by the Senate, instead of \$2,040,000, as proposed by the House, shall be available for certain named hospitals and sanatoria.

On No. 87: Eliminates the appropriation of \$32,000 proposed by the House for the Cheyenne River and Standing Rock Sanatorium.

On No. 88: Appropriates from tribal funds an additional sum of \$10,000, as proposed by the Senate, for road construction and repair work on the Fort Apache Reservation in Arizona.

On No. 89: Appropriates from tribal funds \$148,000, as proposed by the House, instead of \$100,000, as proposed by the Senate, for support of Indians, Klamath Agency, Oreg.

On No. 90: Corrects total.

On Nos. 91, 92, 93, and 94: Appropriate from tribal funds \$4,000 salary and \$1,000 for expenses, as proposed by the Senate, for one mining trustee for the Choctaw and Chickasaw Nations, Oklahoma.

On No. 95: Appropriates \$250,000, as proposed by the House, instead of \$750,000, as proposed by the Senate, for construction of roads in Indian reservations.

On No. 96: Appropriates \$20,000, as proposed by the Senate, for maintenance and repair of the Gallup-Shiprock Highway within the Navajo Reservation, N. Mex.

BUREAU OF RECLAMATION

On No. 97: Requires repayment of construction costs on the second division of the Salt Lake Basin project within 30 years instead of 40 years, as proposed by the House, and 20 years, as proposed by the Senate.

On Nos. 99 and 101: Appropriate \$100,000 from the Treasury, together with \$75,000 from power revenues, as proposed by the Senate, instead of \$75,000 from power revenues, with additional contribution from contractor, as proposed by the House, for installation of a third unit in the Shoshone power plant, Wyoming.

On No. 100: Reappropriates unexpended balance for continuation of drainage system, Deaver irrigation district, Shoshone project, Wyoming.

GEOLOGICAL SURVEY

On No. 103: Authorizes \$60,000 for automobile use, as proposed by the Senate, instead of \$50,000, as proposed by the House.

On No. 104: Appropriates \$744,000, as proposed by the Senate, instead of \$736,000, as proposed by the House, for topographic surveys.

On No. 105: Eliminates the language proposed by the House requiring cooperation in the cost of topographic maps.

On Nos. 106 and 107: Appropriates \$124,000, as proposed by the House, instead of \$199,000, as proposed by the Senate, for engraving and printing geologic and topographic maps.

On No. 108: Corrects total.

NATIONAL PARK SERVICE

On No. 109: Reappropriates unexpended balance of appropriation for equipment storage building at Acadia National Park, Me.

On No. 110: Reappropriates unexpended balance of appropriation for ranger stations, Mesa Verde National Park, Colo.

On Nos. 111, 112, 113, and 114: Appropriates \$16,800 for sewage system and \$15,500 for construction of dam at Frozen Lake, as proposed by the Senate, for Mount Rainier National Park, Wash.

On Nos. 115, 116, and 117: Appropriates \$15,000 for lighting plant and \$9,500 for water supply, as proposed by the Senate, for Wind Cave National Park, S. Dak.

On Nos. 118, 119, 120, 121, 123, and 124: Appropriates \$83,900, as proposed by the Senate, instead of \$75,000, as proposed by the House, for administration of national monuments. Reappropriates unexpended balance for construction, Petrified Forest National Monument.

On No. 124: Appropriates \$2,500, as proposed by the Senate, for maintenance, George Washington Birthplace National Monument, Wakefield, Va.

On No. 125: Appropriates \$1,750,000, as proposed by the Senate, for acquisition of privately owned lands and standing timber within existing national parks.

GOVERNMENT IN THE TERRITORIES

On No. 126: Appropriates \$3,700, as proposed by the House, for salary of the Secretary of the Territory of Alaska instead of \$5,000, as proposed by the Senate.

A disagreement is reported on the following Senate amendments:

On No. 98, appropriating \$640,000 for construction on the Yakima project (Kennewick Highlands unit), Washington.

On No. 102, having to do with the total for the Reclamation Bureau.

LOUIS C. CRAMTON,
FRANK MURPHY,
EDWARD T. TAYLOR,

Managers on the part of the House.

Mr. CRAMTON. Mr. Speaker, in view of the condition of business before the House it is not my intention to take up more time in connection with the conference report than the House desires; but I think I should state that the bill as passed by the Senate carries something above \$4,000,000 over the amount carried when it passed the House. Something over \$3,000,000 of that was the result of new estimates sent up after the bill left the House, notably \$1,750,000 for the acquisition of

lands, chiefly in the Yosemite National Park; \$665,000 additional for maintenance of Indian schools; \$640,000 for the Yakima irrigation project; \$50,000 for the use of the Public Lands Commission; and so forth.

The Senate has receded from \$718,550 of items, and the bill that comes before you now, if this report is agreed to and if the one amendment in disagreement is disposed of in accordance with the motion which I shall make, will be \$2,724 below the Budget figure, which is in accordance with the insistence of the House conferees that the total should not exceed the Budget total.

I will ask unanimous consent, Mr. Speaker, to revise and extend my remarks on the conference report and include therein a statement of the various amendments. Also Table A, showing the action of the conferees on the Senate amendments, and Table B, showing the appropriations under the Interior Department, including deficiencies, from 1916 to 1931, inclusive, which I think is of interest to the House.

THE SPEAKER. Without objection, it is so ordered.

There was no objection.

Financial statement of Senate amendments to Interior Department appropriation bill

Amount of bill as passed the Senate	\$287,261,973.74
Amount of bill as passed the House	283,189,973.74
Net addition	4,072,000.00

House has receded from:

Commission on conservation and administration of the public domain	50,000.00
Indian day and industrial schools	205,000.00
Subsistence for pupils retained at summer schools	64,000.00
Public-school buildings on Indian reservations, Ariz.	11,500.00
Home economics building, Genoa School, Nebraska	15,000.00
Fifty additional pupils, Rapid City, S. Dak., school	15,250.00
Support and maintenance, nonreservation boarding schools	370,500.00
Aid to common schools in Oklahoma	50,000.00
Support and maintenance, Sioux Indians	25,500.00
Maintenance, Gallup-Shiprock Highway, New Mexico	20,000.00
Yakima project (Kennewick Highlands Unit), Wash.	640,000.00
Third unit, Shoshone project, Wyoming	100,000.00
Topographic surveys	8,000.00
Mount Rainier National Park, Wash.	32,300.00
Wind Cave National Park, S. Dak.	24,500.00
National monuments	8,900.00
George Washington Birthplace, Wakefield, Va.	2,500.00
Acquisition of land for national parks	1,750,000.00
Total	3,392,950.00

The House has also receded on the following reductions made by the Senate to the House bill:

Electric lines to Sequoyah Orphan School, Oklahoma	7,500.00
Cheyenne River and Standing Rock Sanatorium	32,000.00
Total	39,500.00

Senate has receded from:

Compilation of Indian laws and treaties	2,000.00
Industrial assistance among Indians	25,000.00
Reduction in pupils, Rapid City, S. Dak., school	15,250.00
Aid to common schools in Oklahoma	100,000.00
Construction of roads on Indian reservations	500,000.00
Engraving and printing maps	75,000.00
Salary of secretary, Territory of Alaska	1,300.00
Total	718,550.00

Amount of Budget estimates	286,546,147.74
Amount of bill as agreed to by conferees	286,543,423.74
Less than Budget	2,724.00

TABLE A.—Statement of Senate amendments involving appropriations, showing effect of action of conferees thereon

Amendment No.	Subject	Budget estimate	Appropriated by House	Appropriated by Senate	Agreed amount	Increase (+) or decrease (—), agreed amount with House figure			Increase (+) or decrease (—), agreed amount compared with Senate figure—General
						Reclamation fund	Indian tribal funds	General	
1	Commission on conservation and administration ¹	\$50,000		\$50,000	\$50,000			+\$50,000	
2	Compilation of Indian laws			2,000					—\$2,000
3, 4	Industrial assistance—Indians		\$500,000	525,000	500,000				—25,000
9	Indian day and industrial schools ¹	3,267,000	3,062,000	3,267,000	3,267,000				+205,000
11	Tuition, Five Civilized Tribes	220,000	220,000	233,200	233,200		+13,200		
12	Subsistence, summer schools	164,000		64,000	64,000				+64,000
15	School buildings for service children in Arizona			11,500	11,500				+11,500

¹ A supplemental estimate to cover the increase by the Senate on this item was received after the measure had passed the House.

TABLE A.—Statement of Senate amendments involving appropriations, showing effect of action of conferees thereon—Continued

Amendment No.	Subject	Budget estimate	Appropriated by House	Appropriated by Senate	Agreed amount	Increase (+) or decrease (—), agreed amount compared with House figure			Increase (+) or decrease (—), agreed amount compared with Senate figure—General
						Reclamation fund	Indian tribal funds	General	
16-27, 29-34, 37-55, 61-67, 69-73, and 76-79	Enlarged amounts for support and maintenance, nonreservation boarding schools.....	¹ \$370, 500		\$370, 500	\$370, 500			+ \$370, 500	
35	Home economics building, Genoa (Nebr.) school.....			15, 000	15, 000			+ 15, 000	
57	Electric lines to Sequoyah Orphan School, Oklahoma.....		\$7, 500					- 7, 500	
74	Rapid City School, South Dakota.....	² 180, 000	55, 000	91, 500	76, 250			+ 21, 250	- \$15, 250
81	Aid to common schools, Oklahoma.....	300, 000	300, 000	450, 000	350, 000			+ 50, 000	- 100, 000
84	Education, Sioux Indians.....	¹ 375, 500	350, 000	375, 500	375, 500			+ 25, 500	
85, 86, 87	Cheyenne River and Standing Rock Sanatorium.....	32, 000	32, 000					- 32, 000	
88	Roads, Fort Apache, Ariz.....	125, 000	125, 000	135, 000	135, 000		+ 10, 000		
89	Klamath Agency, Oreg.....	148, 000	148, 000	109, 000	148, 000				³ + 48, 000
95	Roads on Indian reservations.....	250, 000	250, 000	750, 000	250, 000				- 500, 000
96	Gallup-Shiprock highway ¹			20, 000	20, 000			+ 20, 000	
98	Yakima project (Kennewick unit).....	¹ 640, 000		640, 000	640, 000	+ 640, 000			
99	Shoshone project, Wyoming.....	¹ 100, 000		100, 000	100, 000	+ 100, 000			
104	Topographic surveys.....	736, 000	736, 000	744, 000	744, 000			+ 8, 000	
106, 107	Engraving and printing maps.....	124, 000	124, 000	199, 000	124, 000				- 75, 000
111-114	Mount Rainier National Park.....	51, 000	48, 000	80, 300	80, 300			+ 32, 300	
115-117	Wind Cave National Park.....	15, 400	15, 400	39, 900	39, 900			+ 24, 500	
118-123	National monuments.....	32, 800	32, 800	41, 700	41, 700			+ 8, 900	
124	George Washington Birthplace.....	⁴ 2, 500		2, 500	2, 500			+ 2, 500	
125	Purchase of land for parks.....	¹ 1, 750, 000		1, 750, 000	1, 750, 000			+ 1, 750, 000	
126	Salary, Secretary of Alaska.....	3, 700	3, 700	5, 000	3, 700				- 1, 300
						+ 740, 000	+ 23, 200	+ 2, 619, 450	- 718, 550

¹ A supplemental estimate to cover the increase by the Senate on this item was received after the measure had passed the House.

² The budget estimate for this item was originally carried under "Conservation of health," as the school is now being operated as a sanatorium and was changed by the House to be operated as a boarding school during the fiscal year 1931.

³ This increase of the Senate is an appropriation from Indian tribal funds and is not carried in the total for the column.

⁴ This estimate was submitted by the Budget with the War Department estimates but was transferred to the Interior Department bill by the Senate.

In accordance with the practice of this subcommittee heretofore, I will insert Table B, which shows the annual appropriations under the Department of the Interior, including defi-

ciencies, for the years 1916 to 1931, inclusive, which I think is of interest to this House.

TABLE B.—Annual appropriations under the Department of the Interior, including deficiencies, fiscal years 1916-1931 (Exclusive of permanent and indefinite appropriations)

	Indian tribal funds	Indian reimbursable appropriations	All other Indian appropriations	Army and Navy pensions	Civil-service retirement fund	Reclamation	All other Interior Department appropriations	Total
1931.....	\$3, 230, 532.04	\$2, 304, 741.00	\$18, 218, 638.74	\$212, 500, 000.00	\$20, 850, 000.00	\$8, 051, 000.00	\$23, 602, 044.00	\$289, 773, 955.78
1930.....	4, 728, 829.60	1, 991, 261.00	16, 811, 068.81	221, 000, 000.00	20, 500, 000.00	8, 353, 000.00	19, 825, 466.52	293, 200, 623.93
1929.....	3, 991, 202.74	2, 485, 720.00	13, 481, 772.84	229, 000, 000.00	19, 950, 000.00	14, 149, 400.00	17, 041, 937.55	300, 130, 063.13
1928.....	2, 535, 955.00	5, 452, 125.00	11, 044, 361.00	267, 000, 000.00		11, 903, 800.00	15, 851, 541.34	313, 787, 782.34
1927 ¹	2, 414, 808.00	2, 412, 500.00	10, 525, 502.13	193, 000, 000.00		7, 556, 000.00	14, 121, 258.00	320, 022, 068.13
1926 ²	2, 135, 010.00	1, 589, 178.00	13, 723, 681.55	197, 000, 000.00		12, 349, 600.00	³ 20, 924, 109.00	³ 247, 720, 978.55
1925.....	2, 612, 700.00	1, 555, 600.00	9, 656, 420.00	222, 500, 000.00		11, 105, 289.00	19, 215, 518.00	256, 736, 527.00
1924.....	2, 405, 600.00	2, 179, 850.00	9, 458, 854.00	253, 000, 000.00		12, 250, 000.00	21, 598, 534.00	300, 896, 838.00
1923.....	2, 483, 573.00	1, 041, 466.00	9, 383, 720.00	298, 000, 000.00		15, 075, 000.00	22, 710, 520.00	318, 694, 279.00
1922.....	2, 716, 921.00	1, 249, 005.00	8, 724, 170.00	255, 000, 000.00		20, 296, 000.00	20, 160, 758.00	318, 116, 854.00
1921.....	1, 415, 165.00	1, 450, 830.00	9, 208, 513.00	279, 000, 000.00		8, 463, 000.00	21, 972, 532.00	321, 570, 040.00
1920.....	1, 531, 817.00	2, 173, 833.00	9, 160, 629.00	215, 000, 000.00		7, 300, 000.00	24, 071, 669.00	259, 237, 948.00
1919.....	1, 750, 000.00	2, 133, 583.00	8, 982, 753.00	223, 000, 000.00		9, 497, 080.00	20, 385, 644.00	255, 729, 090.00
1918.....	1, 291, 117.00	2, 029, 500.00	9, 818, 295.00	183, 000, 000.00		8, 227, 000.00	28, 396, 245.00	232, 762, 157.00
1917.....	1, 263, 250.00	1, 921, 986.00	9, 045, 658.00	163, 000, 000.00		8, 884, 000.00	18, 275, 465.00	202, 390, 350.00
1916.....	565, 000.00	518, 740.00	9, 253, 162.00	164, 000, 000.00		13, 530, 000.00	15, 120, 077.00	203, 085, 979.00

¹ Includes deficiency for 1927 which was paid from 1928 appropriations.

² Does not include appropriations for the Patent Office and the Bureau of Mines, which have been transferred to the Department of Commerce.

³ Includes \$4,773,160 appropriated for the Patent Office and the Bureau of Mines transferred to the Department of Commerce July 1, 1925.

Mr. CRAMTON. Mr. Speaker, if there are no questions on the report, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 98. On page 81 insert:

"Yakima project (Kennewick Highlands unit), Washington: For construction, \$640,000, to be immediately available: *Provided*, That no part of the funds hereby appropriated shall be expended for construction purposes until there shall have been conveyed to the United States title to the Prosser Dam and the right of way for the Prosser-Chandler Power Canal free of all prior liens and satisfactory to the Secretary of the Interior."

Mr. CRAMTON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment, which I send to the desk.

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] moves that the House recede and concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment No. 98:

"Yakima project (Kennewick Highlands unit), Washington: For construction, \$640,000, to be immediately available: *Provided*, That no part of the funds hereby appropriated shall be expended for construction purposes until there shall have been conveyed to the United States title to the Prosser Dam and the right of way for the Prosser-Chandler Power Canal free of all prior liens and satisfactory to the Secretary of the Interior: *Provided further*, That all net revenues received from the disposition of power not required for pumping water for the irrigation of lands in the Kennewick irrigation district shall be applied, first, to the payment of the construction cost incurred by the United States in connection with the Kennewick Highlands unit, including the power plant and appurtenances, until said construction cost is fully paid, and thereafter to retire the obligations incurred by the said district in the purchase of the said dam and right of way: *And provided further*, That title to and the legal and equitable ownership of the power plant and appurtenances constructed by the United States pursuant to this

appropriation shall be and remain in the United States, and all net revenues therefrom shall go to the reclamation fund after payment of aforesaid construction cost and retirement of said obligations."

Mr. CRAMTON. Mr. Speaker, I will state that the Senate amendment proposed an appropriation of \$640,000 for the rejuvenation of the Kennewick Highlands unit of the Yakima project, through the construction of a power plant to furnish cheaper power to that unit. The amendment which we are offering and which I have been advised will be accepted by those interested in the Senate, provides definitely that the profits from that power plant, after the cost of the site and cost of construction is taken care of, will go into the reclamation fund.

Unless there are some questions, I move the previous question on that amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Michigan [Mr. CRAMTON] to recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment 102: On page 85, Mr. CRAMTON moves to recede from the disagreement to the Senate amendment No. 102, and agree to the same.

Mr. CRAMTON. Mr. Speaker, that is simply to correct the total.

The motion to recede and concur was agreed to.

On motion of Mr. CRAMTON, a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent, that on to-morrow, after the disposition of business on the Speaker's table, I be permitted to address the House for 15 minutes.

The SPEAKER. The gentleman from Georgia [Mr. BRAND] asks unanimous consent that on to-morrow, after the disposition of matters on the Speaker's table, he be permitted to address the House for 15 minutes. Is there objection?

Mr. KNUTSON. Reserving the right to object, what is the order of business for to-morrow?

Mr. TILSON. There is an appropriation bill for consideration to-morrow.

Mr. AYRES. Reserving the right to object, I will say that, if nothing happens, we will have an appropriation bill for consideration to-morrow, and I will be in charge of the time on this side and I am willing to yield to my colleague all the time he desires.

Mr. KNUTSON. I was going to suggest that that would be a helpful solution.

Mr. BRAND of Georgia. I appreciate what the gentlemen have suggested; but my address is on an important subject, in which every Member of this House is interested, and I think there will be more Members here before we take up the consideration of the appropriation bill than afterwards.

Mr. KNUTSON. May I ask the gentleman from Georgia [Mr. BRAND] what he is going to talk about?

Mr. BRAND of Georgia. I do not know that that is a fair inquiry, but I can tell the gentleman.

Mr. KNUTSON. I know it is not any of my business. I know it is not, but it is a matter of interest, however.

Mr. BRAND of Georgia. I do not contend that the gentleman has no right to make his inquiry, but it is rather an unusual one. I will answer the question of the gentleman. It is in reference to the gross earnings, the net earnings, and the expenses of the 12 Federal reserve banks since the organization of the Federal reserve system, showing the amount of franchise tax each bank has paid during the existence of the system.

Mr. KNUTSON. That is sufficient.

Mr. BRAND of Georgia. And what banks have not paid anything as franchise tax to the Treasury of the United States.

Mr. KNUTSON. I withdraw my reservation of objection.

The SPEAKER. Is there objection?

Mr. SNELL. I object, Mr. Speaker.

MOTHER'S DAY

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from Iowa [Mr. LETTS] for 20 minutes.

Mr. LETTS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. LETTS. Mr. Speaker, there is an old Jewish saying, "God can not be everywhere; therefore he made mothers."

It has been the pleasure of men to extol human virtues. Patriotism is an easy theme. All men glory in heroism. Strength and courage inspire action. Lofty sentiment, nobility of character, and simplicity of the soul are the most potent elements incident to human endeavor. We have been taught to love our neighbor as ourselves. We have our Damon and Pythias. We delight in the exemplification of brotherhood. I have not yet touched the pulse of human triumph:

For the hand that rocks the cradle
Is the hand that rules the world.

There is no more wholesome movement than the new expression of an old principle of approved human conduct. When Anna Jarvis, born and reared in West Virginia, as child and as woman, experienced great love and reverence for her now sainted mother, she enjoyed what seemed to her a gracious blessing. It was but the common heritage of us all. Later, when she conceived the idea of establishing Mother's Day as an institution, she touched a chord in the nature of mankind which brings the world to its knees on the second Sunday in May to do reverence to the universal conception of motherhood and mother love. With Henry Ward Beecher there is universal acclaim—

A mother is as different from anything else that God ever thought of as can possibly be. She is a distinct and individual creation.

Mr. Speaker, as a day in nature, life has its morning, noon, and night, and mother love has a place in the landscape of each. For the youth there is care and development of the body, mind, and heart. George Herbert knew mothers and children when he said:

One good mother is worth a hundred schoolmasters.

Who has not breathed with Elizabeth Akers Allen the theme of her appealing poem?—

Backward, turn backward, O time in your flight
Make me a child again just for to-night.

What man in his strength has not dropped upon his knees and given utterance to his childhood prayer?—

Now I lay me down to sleep.

What boy has not agreed with James Whitcomb Riley?—

My mother she's so good to me,
If I was good as I could be,
I couldn't be as good—no, sir—
Can't any boy be good as her.

Mother's Day is one of great appeal. It is a day for personal devotion and for family celebration; it is a day of thanksgiving for the blessings of good homes; it is a day for letter writing. We are transported upon the wings of imagination back to the romantic scenes of life in the home which mother made.

Mid pleasures and palaces though we may roam,

Be it ever so humble there's no place like home;

A charm from the sky seems to hallow us there,

Which, seek through the world, is ne'er met with elsewhere.

Home, home, sweet, sweet home!

There's no place like home! there's no place like home!

It is common delight to honor motherhood. Constantly we are reminded of her virtue in war or peace. Whether she be a gold-star mother on her way to France, sorrowing in her loss, glorifying her son for his sacrifice, or she be engaged in the homely pursuits of life, is of no concern. We are indebted to James Russell Lowell, who, in thinking of mothers, said:

Many make the household, but only one the home.

In our great wars American mothers fought as valiantly as their noble sons.

Mothers are the queerest things!

'Member when John went away

All but mother cried and cried

When they said "Good-by" that day.

She just talked and seemed to be

Not the slightest bit upset—

Was the only one who smiled;

Others' eyes were streaming wet.

But when John came back again

On furlough, safe and sound,

With a medal for his deed,

And without a single wound—

While all the rest of us hurried,

Laughed and joked, and danced about,

Mother kissed him; then she cried—

Cried and cried like all git out!

Was ever a painting more beautiful than a mother defending her erring boy? Was logic or reason ever more alluring and persuasive than her plea for mercy? Man was never blest with defense more availing than her devotion and persisting love. Like good character, mother's love is often the only defense which the erring one may have, for mother is always by his side.

Constant as the northern star,
Of whose true, fixed, and lasting quality
There is no fellow in the firmament.

What mother is lacking in ambition for her son? Her secret hope outlives fading youth, life's disappointments, and the failure of friendships. Her son is never a failure.

It is a wonderful thing, a mother; other folks can love you, but only your mother understands. She works for you, looks after you, loves you, forgives you anything you may do, and then the only bad thing she ever does to you is to die and leave you.

In the century of revolution which made Rome an empire, a mother honored wherever she went because of the achievements of her distinguished father, Scipio, was, through the early death of her husband, charged with the care and education of her two boys. Cornelia Gracchus was proud of her sons. Upon an occasion when a friend, who was visiting her, asked to see her jewels she sent for her sons and, leading them forth, proudly said, "These are my jewels."

Cornelia was ambitious for her sons. Unselfish by nature and intensely patriotic in spirit, she was not satisfied to be known as the daughter of Scipio. As an encouragement to her sons, she often asked them when the time would come that Rome would call her instead "the mother of the Gracchi." And so it came to pass, because of her great mother love, that her sons, Tiberius and Caius, reformers but practical, became leaders of the men of Rome.

It was our own beloved Lincoln, in the fullness of life and power, who said:

All that I am or hope to be I owe to my mother.

The great Napoleon, in a sense of failure and weakness for himself and his nation, prayerfully announced:

France needs nothing so much to promote her regeneration as good mothers.

The testimony of the human race of every age and for all time is convincing that mother's love is the golden link that binds youth to the noonday of life with its powers, its burdens and its responsibilities, and with the evening of life, with its shadows and its rewards for the discharge of duty.

At maturity one wonders what his immature estimate of mother was.

Mother is the name for God in the lips and hearts of little children.

Where mother is concerned too much is taken for granted. She does not seek recognition of her service, and often it is withheld. To the child it is natural that the mother should be good and kind and true and helpful. With advancing age one inquiries of his own heart what he has done to show his gratitude; how he has lightened her burdens or cheered her in the hour of gloom. Who among us has not known her as father of the fatherless, as both mother and father. She is akin in heart and blood with her child and, as affects the welfare of her offspring, every hour is an hour of destiny. The child is drawn into the current of the stream of life. To her it is the passing of a day. The child, though matured in full stature, is never grown to her.

Mr. Speaker, a modest little home, not far from the Nation's Capital, was the scene of an unusual celebration on May Day. A great birthday cake with 100 candles, one for each year of a remarkable life, was a part of the setting. Many visitors came into the gayly decorated home. Flags and flowers were there. It is the home of Mother Jones, and the gorgeous cake was hers.

The scene was a peaceful one. Many who had a rougher picture of her were able to forget the passions of those decades when she led her red-pepper and dish-pan armies into battle. John D. Rockefeller, jr., was glad to salute her, and she appraised his act as that of a Christian gentleman. Certainly these are not the concluding years of a desolate life. Her pleasure for the day was in reminiscing. Her thoughts were of other days, and her talk was of "her boys."

She was a nurse during the Civil War, and, soon after the close of that civil struggle, she suffered the loss of her husband and three children in an epidemic of yellow fever. Her little dressmaking business was swept away when Mrs. O'Leary's

cow kicked over the lamp and set the great Chicago fire. She sought consolation in that service which she was able to render others and became Mother Jones wherever coal was mined. All this occurred long before the American Federation of Labor came into existence. Born in County Cork she knew what it was to get her "Irish up," and yet thousands of men loved Mother Jones as they loved their own mothers. Some may have believed her a perverse trouble maker, an exponent of dangerous principles, but it is now clear that she only sought an even break for "her boys." Love and tenderness are as warm in her as her courage is resolute. Her century of life has been one of struggle, leadership, and achievement; more than that, she has been mother to those who toil.

Theodore Roosevelt, who quickly sensed and accurately appraised changing public sentiment, became the leader in a movement to enable worthy mothers to maintain homes for their children. He knew the value of mothers as caretakers for children. In 1909 he called what has come to be known as The White House Conference on the Care of Dependent Children. It was recognized that home life is the highest and finest product of civilization; the great molding force of mind and character. Children should not be deprived of it except for urgent and compelling reasons. Temporary misfortune should not require deserving mothers who are without the support of the normal bread-winner to surrender her children to institutions for the care of dependent children.

It was deemed to be in the interest of future citizenship that children should be maintained in their own homes when fathers "drop out." The principle of home care for unfortunate children met with a ready response; to conserve the home has a humanitarian purpose and an economic one. As a principle of justice no home should be broken up for poverty alone. It costs the State less to maintain children in their own homes than to support them in institutions. "Homemade" children, cared for by their own mothers, have the best chance of becoming healthy, normal citizens.

Within the last two decades almost every State in the Union has enacted laws variously termed "mothers' pensions," "mothers' allowances," "mothers' assistance," "widows' compensation," "aid for dependent children," and "aid to mothers."

Such legislation rests upon a sound theory. It affords a practical way of lifting from unfortunate members of society undue handicaps in the battle of life. No greater tribute has ever been paid to mothers than this.

Mr. Speaker, within the year a worthy prize was bestowed upon the author of a book entitled "Grandmother Brown's 100 Years." That book was a biography of a pioneer woman who spent much of her eventful life within my State. It must be that unusual merit was found in this story because of the manner in which motherhood is depicted in the life of Grandmother Brown. One is not impressed with ideas of beauty and flashing wit, but there lingers with the reader an ensemble of wholesome virtues, traits, and habits of life which, in greater or less degree, have been experienced by all. In nature most things of beauty come by twos and threes, but for each there is a single mother.

Grandmother Brown was not an unusual woman as the world would measure her. She won no fame for a single outstanding deed. She was one of the basically and essentially fine women who live for and love their homes. She was a lovable mother and grandmother, with an innate sense of truth and love of beauty. God played an important rôle in her everyday life. Gay and happy, as she usually was, her life had been sufficiently touched with tragedy to make her sympathetic and understanding toward everyone. It is not difficult for one to picture her before her fireplace, musing and reminiscing, rounding out her life of love. She was quite as human as you and I. It is the imprint of such characters that furnish the personal links between the efforts of the heroic past and the present day of fine fulfillment. The story of her life is a continuing promise.

In teaching the virtues of peace, American mothers, without knowing it, prepare their sons for honored stations in civil life and for the trenches. In the home and in the Nation there is no substitute for mother. In time of war and in peace times she is our first line of defense. Neither communism nor other avowed enemy of Government or God or of the home can succeed in America.

Mothers die and take their place in the eternal gardens, but mother love survives, an ever present help in times of trouble. Like a benediction, it is of to-day, to-morrow, and eternity.

Mr. Speaker, have I forgotten father's tribute to mother? Then let Edgar A. Guest speak for all fathers.

I'm just the man to make things right,
To mend a sleigh or make a kite,
Or wrestle on the floor and play
Those rough and tumble games, but say!
Just let him get an ache or pain,
And start to whimper and complain,
And from my side he'll quickly flee
To clamber on his mother's knee.

I'm good enough to be his horse
And race with him along the course.
I'm just the friend he wants each time
There is a tree he'd like to climb;
And I'm the pal he's eager for
When we approach a candy store;
But for his mother straight he makes
When'er his little stomach aches.

He likes, when he is feeling well,
The kind of stories that I tell,
And I'm his comrade and his chum
And I must march behind his drum.
To me through thick and thin he'll stick,
Unless he happens to be sick.
In which event, with me he's through—
Only his mother then will do.

[Applause.]

NATIONAL HYDRAULIC LABORATORY IN THE BUREAU OF STANDARDS

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8299, authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor, and concur in the Senate amendments.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to take from the Speaker's table House bill 8299 and concur in the Senate amendments. The Clerk will report the bill and the amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 9, after the word "flow," insert the word "and."

Page 2, line 3, strike out the words "other bureau or."

Page 2, line 3, after the word "department," insert the words "or independent agency."

Page 2, line 7, strike out the words "or bureau" and insert the words "or independent agency."

The Senate amendments were agreed to.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes. Pending that motion, I would like to ask the gentleman from Louisiana about closing general debate on this bill?

Mr. SANDLIN. Mr. Speaker, I would say not later than 3.30, or we might get through by 3 o'clock.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that general debate on this bill be closed not later than 3.30 p. m.

The SPEAKER. The gentleman from Ohio moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11965; and pending that motion, asks unanimous consent that general debate be closed not later than 3.30 p. m. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Ohio.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11965, with Mr. LUCE in the chair.

The Clerk read the title of the bill.

Mr. SANDLIN. Mr. Chairman, I yield seven minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, ladies and gentlemen of the committee, it gives me particular pleasure to know that a dream has turned into a realization when the Government is sending the first contingent of gold-star mothers to Europe on the pilgrimage to visit their boys' graves.

In 1923, when first elected to the Congress, one of the first bills introduced by me was a bill known as H. R. 4109, in which the provision was made to give every mother of a member of the military and naval forces of the United States who died in line

of duty during the World War, and whose body is buried in Europe, an opportunity to visit the grave of her son, or a widow of her husband.

This bill was referred to the Committee on Military Affairs and extensive hearings were held, the War Department giving a complete survey as to all the details relating to the practical accomplishment of the terms of my bill.

This was in 1923; thereafter, in 1925, in the Sixty-ninth Congress, I again introduced a bill, which was known as H. R. 4003, for the same purpose.

Finally on March 2, 1929, an act was passed, entitled—

An act to enable the mothers and widows of deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries.

It is under this act that they are now able to visit the graves of their sons and husbands.

It is a sad occasion for me, or for any Member, to appear before this body and discuss this question, but, on the other hand, it brings forth the love and affection the American people have for the sons of these wonderful mothers, who gave their lives for the sacred cause of democracy. To the gold-star mothers the loss of their sons is irreparable, and to quote from the immortal Gettysburg address of our beloved Abraham Lincoln:

The world will little know, nor long remember, what we say here, but it can never forget what they did there.

It is the work of our undaunted and courageous young men who asked no questions but went into the fight because they were sent to fight by the Congress of the United States, and who died in the line of their duty like the "Six Hundred" of the famous Balaklava charge, who "rode into the Valley of Death"—

Theirs not to reason why,
Theirs but to do and die.

The gold-star mothers, whom the Congress honored, to give them an opportunity to look at the last resting place of their sons, have made the supreme sacrifice, for they have given to this country their dearest possession, their sons. They have given them for the asking, because they were wanted and because their lives above everything else were the property of the Nation which called upon them at the time of its need.

Like all true sons of America, they responded to the call of duty, went into the fight with all their hearts, and achieved victory, even though they themselves found death and no glory.

But the Nation is very grateful to these sons, and it is now discharging a part of its deed by permitting the mothers and widows of these soldiers to go to the cemeteries where they are interred and make a pilgrimage to their graves.

I know that they have the best wishes of all of us, and of the American people. I know that the city of New York, from which they embark abroad, is most happy to receive them, no matter from where or whence they come, no matter of their creed or nationality, and while in the city I am sure they are welcome everywhere.

We must remember, if history recalls us well, that these sons of the gold-star mothers and all of the American forces, have embarked from the port of New York during the World War, on the perilous journey across the waters, and it was the city of New York which welcomed back those who were fortunate enough to return from the Great War. My city, and I do not doubt every city in this United States, owes a duty to the mothers of the splendid men who have gone forth from it to battle the enemy.

As a representative of a populous district in the city of New York, I can assure you, Mr. Chairman, ladies and gentlemen of the committee, on behalf of the mayor and the city officials of the city of New York, that everything for the comfort of the mothers in their pilgrimage will be done, and we hope that their journey will be as pleasant as circumstances will permit. True, they are going on an errand of death and not of life; they are going to visit the graves of their departed sons, but we should believe in the immortality of the soul and know that death is not the end of life, but the beginning of a new existence. Remember, gold-star mothers, that the souls of your children look down upon you from the place to which all good men go, and that your sons have given their lives, so that this Nation might live, and that they have found their reward of duty well done by the noble Creator who took their lives from this earth only to give them a more glorious life in the world to come.

I am the resurrection, and the life. He that believeth in me, though he were dead, yet shall he live. (John xi, 25.)

[Applause.]

Mr. SANDLIN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, ladies and gentlemen of the committee, I have been giving considerable thought and study to the trade-practice conference work that has been carried on for some time by the Federal Trade Commission. It is comparatively new. About nine years ago there was a trade-practice conference held for some industry in which certain standards were agreed upon. Since that time very few trade-practice conferences have been held until about 18 months ago. About 18 months ago the Federal Trade Commission commenced the policy of calling the representatives of an industry together and calling it a trade-practice conference, but which was, in effect, and which resulted in a trust of that particular business.

The President of the United States and his Cabinet have approved a policy adopted by the Federal Trade Commission and the Department of Justice which means the destruction of independent business. At a meeting of the Cabinet one week ago, the attitude of the administration toward trade-practice conference procedure was brought up. The President and his Cabinet, I am informed from a reliable source, put their stamp of approval, not only upon what the Federal Trade Commission and the Department of Justice have done in the past but what they expect to do in the future.

In the petroleum business this means destroying the independent producers, refiners, and retailers. Further, it is aiding the Royal Dutch Shell Co. in its dream to acquire possession and control of the oil industry in America. The petroleum industry was organized into a trust by the Federal Trade Commission last fall at St. Louis. This trust agreement has received the sanction of the Department of Justice. It is said that the British Government owns one-half of the stock of the Royal Dutch Shell Oil Co. If true, we shall likely, in the near future, pay tribute to the British Government on every gallon of gasoline we consume. Oil companies are making good money. No increase in price is due. The big oil companies of America to-day are openly defying the antitrust laws. A recent increase in gasoline price of 1 cent a gallon in the Northeastern States will soon spread to every State. This increase will amount to \$134,000,000 a year. Other increases will follow. The Attorney General has manifested no courage and has made no effort to retard the progress of monopoly. Our country would be almost as well off without an Attorney General as one who is defending those who are operating in a manner derogatory to the public interest.

The policy adopted by the Federal Trade Commission and the Department of Justice, which has received the approval of the President and his Cabinet, is favorable to trusts and monopolies; it is against the small independent, regardless of the business in which he is engaged; it is favorable to big business and destructive to little business; it is approving price fixing by industries without power being lodged in any authority to say what shall be the maximum price charged the public; the trusts will not only set the price of the raw materials to be purchased by them, but they will set the price that the public shall be required to pay for the finished product. No industry should be allowed to destroy competition in defiance of the laws of the land.

The Attorney General continues to use his office as an agency of convenience for big business. He is subservient to the will of the trusts and monopolies, and the rights of the plain people are being crushed with his sanction and approval.

The Cottonseed-Oil Trust robbed the farmers of the South of \$75,000,000 last fall. This not only injured the farmers and their families, but it destroyed \$75,000,000 worth of purchasing power for manufacturers of necessities and comforts of life. This robbery was committed with the knowledge and approval of the Department of Justice. When convincing evidence of the robbery was presented to the Attorney General's department, the department took no action and permitted the conspirators to go unpunished, with the gentle admonition "Don't do it again."

A fair and impartial investigation of the Department of Justice would disclose almost unbelievable conduct on the part of the agents of our Government. Such an investigation will disclose that many industries have been caught red-handed by the department fixing prices and destroying competition and no prosecutions of any kind commenced. Further, that the department has let these conspirators against public interest know that if they are dealt with at all they will be dealt with gently and in a way that no fines will be paid or jail sentences served. Probably by an injunction. If the Government wins an injunction suit, no one goes to jail or pays a fine. Criminal action will lie in every case where an injunction will lie. It is very strange, indeed, that the Department of Justice is not asking for any criminal indictments.

The Department of Justice has recently let conspirators against the public interest know that no change of policy is con-

templated by that department. That statement assures illegal trusts and monopolies that they can continue on as they have in the recent past without any fear of punishment. [Applause.]

Mr. SANDLIN. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD of Georgia. Mr. Chairman, as every servant makes report to his employer, so should Members of Congress, from time to time, make reports to their folks back home. These reports are not easily made up, for the very sufficient reason that the individual is entitled to the whole credit for practically nothing accomplished in Congress. It is only by and with the help of others the Member of Congress takes part in the thousands of worth-while accomplishments in a given period of congressional service.

No one of us can claim credit for moving the mountain but each is entitled to the honor of helping with a few shovels of dirt. Paraphrasing, let me say:

It is not the men or argument
Or the money they can pay
It's the close cooperation
That makes them win the day.
It is not the individual
Or the Congress as a whole
But the everlasting teamwork
Of every faithful soul.

Our folks are vitally interested in our being faithful to them and legislatively shoveling for the right. There are only a few simple questions at issue. Are we doing teamwork for our people and are we cooperating with those in Congress who are battling for the right? If so, then we are entitled to a good report. If not, our report is bad, it matters not how we may attempt to embellish it.

The soldier marches hundreds, even thousands of miles, fires hundreds of shots, suffers untold privations and hardships, and after the war is won, comes back with scars and a torn, disabled body to show for his service, and yet he can not say "I won the conflict," but he can proudly boast that "we gained the day." His people justly honor him, not because he won the battle as an individual for he did not, but because he was true, did not desert in time of stress, and did his best. All honor is his, even if he fought for a lost cause, if he was faithful to the end.

So it is with Congress, which, like an army, is making the destiny of a nation. Members, here, can only do their best and be true and when a good piece of legislation is enacted or a bad bill defeated we can only say "we helped."

As I get older I learn to like more and more the editorial "we" and see less and still less cause for use of the personal pronoun "I."

Congress is a mighty, efficient, complicated machine, grinding slowly and yet surely. No one can claim to be the whole machine or even an important part. Each one constitutes but a single cog in a single wheel, doing but a small part of the work of the whole.

Thus it is I find myself ready to report my activities in thousands of matters and yet unable to say I, alone, have passed any single piece of legislation. The individual can introduce bills, make speeches, extend remarks, cast votes, attend committees, and so on, but when he attempts to secure the enactment of a bill he must get efficient help and plenty of it, if he is to, at all, succeed. In fact, practically all large bills are made up of scores of items sponsored by dozens of Members of the House.

A few days ago some of my friends said I was to be congratulated for securing for my district, in the river and harbor bill passed last month, more authorizations than was ever written in a previous similar bill. I replied that I was only entitled to credit for helping secure the items, and that much credit was due to the citizens of Brunswick and south Georgia, and especially to Mr. Richard C. Job, secretary of Brunswick Board of Trade, whose splendid cooperation and help was of inestimable value to the committee and myself. I further said:

I realize also that I would have failed except for the splendid help of the Army engineers and their excellent chief, General Brown, and his courteous and ever-helpful assistant, General Deakne. Then, again, how can I express my thanks to the splendid House Committee on Rivers and Harbors and its members, from the excellent chairman, the gentleman from New York, Mr. DEMPSEY, and the ranking Democrat, the much beloved and honored gentleman from Texas, Mr. MANSFIELD, down to and including not only all the committee but each and every one of its courteous clerical force.

Mr. Chairman, I further said to my friends:

While giving credit to those who helped in the passage of the recent river and harbor bill and thus rendered such splendid service to Georgia,

the entire Atlantic seaboard, and the Nation, I again and again recall the faithful, thoughtful, and efficient service of my good friend and colleague from Georgia, Mr. EDWARDS. I know many of my items, as well as many items from New York to Key West, would not have been included in the bill except for his untiring, faithful service, and not only Georgia but the entire Nation is to be congratulated upon the decision of Mr. EDWARDS to again go upon the River and Harbor Committee and take up anew his splendid work where he served so efficiently and helpfully several years ago.

Mr. Chairman, again my friends said I was to be congratulated upon securing for the first time, in the present tariff bill, a duty upon turpentine, long-staple cotton, tar and pitch of wood, as well as an increase on peanuts and various other farm products, and I said, "No; I only helped wherever I found a chance." Just as my State is fortunate in having Mr. EDWARDS on the River and Harbor Committee so we are to be congratulated upon having Mr. CRISP, of Georgia, upon the House Committee on Ways and Means.

Not only is credit due my colleague Mr. CRISP for contending for a duty on those articles produced and sold in the South, when and where he felt that the rate was just to the Nation and yet helpful to Georgia and the South, but he also rendered valiant service in the committee and on the floor in opposition to those rates and provisions of the tariff bill which he honestly believed to be unfair and dangerous to the American people. He has always rendered my district most efficient service on this committee and in the House and I thank him in behalf of my people.

I am especially mindful and appreciative of the splendid service he rendered the farmers of the Nation several years ago in his fight against a tariff or duty on potash and German kainit, so essential for fertilizer purposes.

This was just after I first came to Congress and I was glad to help, all a new Member could, in this victorious battle in behalf of the farmers. I know of the valiant service rendered by the members of the Ways and Means Committee in behalf of rates and provisions each felt to be just, and I am especially appreciative of the help by the chairman [Mr. HAWLEY], and the chairman of the subcommittee on the chemical schedule [Mr. HADLEY], by both of whose help the rates were inserted and retained on naval stores or turpentine and tar or pitch of wood, long-staple cotton, and other farm commodities of my section.

Another one of my friends, having heard me discuss the river and harbor bill and the tariff bill, said he was sure the people of my district approved my fight for a survey of all possible canal routes across south Georgia and north Florida and that I deserved the thanks of all the people of my district for securing surveys of all practical routes.

I told my friend that I was glad my people approved my course but that the honor for securing the surveys should go to the Board of Army Engineers and their chief, to the House Committee on Rivers and Harbors, with special mention of the efforts of my good friend from Georgia, Mr. EDWARDS, and that the splendid work of both the Georgia and Florida delegations in Congress should not be overlooked and that I gladly admitted that I was at all times present, aiding and abetting, whenever opportunity presented itself.

Still another friend chimed in that I was to be congratulated upon recently preventing the sale and thus securing the transfer of Blythe Island, near Brunswick, Ga., from the Navy Department to the War Department for the use of the National Guard of Georgia. In reply, I said:

My good friend, in this matter I was helped by the good people of Brunswick, headed by Maj. W. L. Harwell, of the National Guard, and Mr. Richard C. Job, of the board of trade. I had the approval and hearty cooperation of Adjutant General Parker, of Georgia, the Chief of the Militia Bureau, General Everson; the Judge Advocate General of the Navy, Admiral Sellers; the Secretary of War; the Secretary of the Navy; and President Hoover, and I only claim credit for having helped. In this matter, as in the others just mentioned, I had the splendid help of a member of my State delegation my colleague and friend the gentleman from Georgia [Mr. VINSON], the ranking Democrat of the House Committee on Naval Affairs.

Thus it was, Mr. Chairman, that while I was home for a few hours about 10 days ago, several of my friends were telling me how much they appreciated my efforts here during the last two or three months, and I was endeavoring to let them know that single-handed we can do practically nothing but that by proper cooperation we are able to accomplish much here that is worth while.

Let me mention a few more of the conversations that took place during my brief stay in Georgia. Some of my farmer friends told me how much they appreciated the fight I have made here for 10 years in behalf of sure-enough farm relief and

further mentioned their especial appreciation of the passage of the two little emergency, flood stricken area loan acts which had been helpful, in a small way, to some of them and their friends.

I called attention to the fact that the Georgia delegation in Congress had as a unit fought with the friends of the farmer, and that my State was extremely fortunate in having on the House Committee on Agriculture my colleague and good friend, the gentleman from Georgia [Mr. LARSEN], who, ever since I came to Congress and before, has fought for the farmers' welfare, and at this time is helping in every way possible to further perfect the recent Farm Board act and thus further endeavor to put the farmer on a parity with industry as promised in the platforms of both major parties. The farmers of the whole country are to be congratulated on having on the House Committee on Agriculture a man as sympathetic with their every want and need as Mr. LARSEN.

I gladly told my friends that it was a pleasure to cooperate with Mr. LARSEN and the House Committee on Agriculture, and that some of the suggestions I had made heretofore had been included in bills passed at previous sessions, and that I was still offering my ideas on farm relief in the form of bills and speeches and was confident of careful consideration of my proposals.

While I was talking to my friends about happenings in Congress, one said that the people generally were very appreciative of the recent good-roads authorization, which is the largest ever granted. He also mentioned that, since I entered Congress, the Government had done many times more for good roads than ever before. I told my friend that the good-roads legislation was a splendid illustration of the very idea I was endeavoring to impress on my hearers; that I did not originate the good-roads Federal aid idea, as that was done before I entered Congress by my colleague and good friend, the gentleman from Georgia [Mr. BELL]. I explained that now the friends of good roads are in the majority in Congress and all anyone can do is to join the crowd and push for more and better good roads.

I explained that a man like Mr. BELL, who sponsors a great move and gets Congress to adopt an outstanding splendid program, is the type of man whom all the people should greatly honor as a benefactor of humanity for all time. Mr. BELL, as the pioneer of the good-roads movement, is entitled to the thanks of a grateful people.

Thus it is, Mr. Chairman, we all are workers in the legislative vineyard, but none can justly claim to be the lord of the harvest. All our victories here are not such as can be claimed by the individual, or by a party, or even by the Congress. They are the result of man's effort to better the condition of himself and his fellows, the outcome of a struggle in which all humanity has engaged from the beginning of time and which will last unto eternity. Each of us, in a small way, are only doing our part in the great drama. Only those who originate great moves are entitled to special or great honors.

Let us think of the many bills which we see passed. The local bills are practically all passed by unanimous consent. The passage of the more important bills can only be accomplished by the support, not only of the author, but also of the committee and the majority of both Houses, Democrats and Republicans.

As a further illustration of what I am saying, let me give one more illustration. I was very happy several years ago to secure the adoption of an amendment to a proposal to extend the life and authority of the War Finance Corporation so as to enable the banks of the country to better finance the farmers and themselves. I have since believed that if we had carried that program still further, many banks would have been saved and our farmers would have been greatly benefited. I favored changing the old War Finance Corporation to the farmers' finance corporation, and have introduced bills and made many speeches advocating and showing how real farm relief can be worked out of this idea. But I shall not make a farm-relief speech at this time. I only want to call attention to the importance of proper banking laws and to show that in the little service I have been able to render in this connection I was aided by the genial and able gentleman from Georgia [Mr. BRAND] and the entire House Committee on Banking and Currency. I again wish to congratulate the people of Georgia in having on this very important committee an honest, capable, fearless champion of clean, safe, and sane banking in the person of the gentleman from Georgia [Mr. BRAND]. I wish to thank my friend for the service he has rendered my people and the Nation by his efforts to make banking safe and yet more serviceable to the great common people.

In fact, Mr. Chairman, my State is to be congratulated on the splendid strategic positions the members of our delegation occupy on the various committees. These positions are obtained by merit and by seniority of service. Let me call the roll of all members of our delegation who became Members of

Congress before I entered here. Mr. CRISP is on Ways and Means, Mr. EDWARDS on Rivers and Harbors, Mr. LARSEN on Agriculture, Mr. BELL on Post Office and Post Roads, Mr. VINSON on Naval Affairs, and Mr. WRIGHT on Appropriations.

In part I have already mentioned the splendid service these gentlemen are rendering.

Every assignment is of tremendous importance. For instance, the very safety and life of our Nation depends on naval affairs, and Georgia has the ranking Democrat on that committee in the person of that efficient, careful student of all that concerns our Navy as the guardian of our national existence, the gentleman from Georgia, Mr. VINSON. Then there is the gentleman from Georgia, Mr. WRIGHT, with all his ability as a lawyer and as an experienced Member of the House, on the House Committee on Appropriations, recognized as probably the most powerful committee of Congress. I could call the entire roll of the delegation, but such is unnecessary.

Thus it is I feel assured my people and the people of my State will receive a fair deal when bills come up before the committees on which my colleagues and friends are Members.

Four members of the Georgia House delegation came to Congress since my first election. All of these gentlemen are rendering excellent service to their districts and the Nation and are doing well their part of the legislative program of the country. The gentleman from Georgia, Mr. COX, with his legal mind and training, is rendering a great service to his district and the country on the House Committee on Flood Control. In so far as my district and that of my colleague, Mr. COX, is concerned, the question of flood control, drainage, and reclamation, transportation canals, hydroelectric energy, and farm relief, to my mind, are so interwoven and interrelated as to make this one of the most important committees of the House.

Of most vital importance to the whole Nation and to all our people are the questions of immigration and naturalization which arise in Congress, and Georgia and the whole country are fortunate in having on the House committee dealing with this subject the amiable, capable, fearless, and sincere gentleman from Georgia, Mr. RUTHERFORD, who is rendering a real service not only on this committee but also on three other House committees, to wit, Election of President, Vice President, and Representatives in Congress; Census; and Pensions. Mr. RUTHERFORD is on committees which deal with the very life of our country. None are more important.

Mr. Chairman, to my mind the greatest problem and responsibility of all time is that of proper education of the youth of the country, so that a great citizenship may be maintained and the perpetuity of free institutions assured. The welfare of the child is the true yardstick by which all legislative proposals may be properly measured, and I predict that Congress, the Nation, and the various States, more and more, will consider and recognize the great problem of proper education and training of the children as a duty of first magnitude. I am truly glad the gentleman from Georgia [Mr. TARVER], who has his heart in the welfare of the children of the country, is on the House Committee on Education. With his legal ability, judicial training, and honesty of purpose, Mr. TARVER is rendering efficient and valuable service not only on this committee but also on additional House committees as follows: Elections No. 2, Revision of the Laws, and District of Columbia.

The gentleman from Georgia [Mr. RAMSPECK] is the youngest Member of our delegation, and while he lacks the advantages that seniority of service will give him, he comes better equipped than most new Members because of his long and valuable service in congressional affairs, as secretary of former Congressman Hon. William Schley Howard, of Georgia. Already Mr. RAMSPECK, with his legal training, excellent ability, and sincerity of purpose, is rendering his district and the Nation most valuable service on the House committees as follows: Civil Service, Claims, and Labor. These committees deal with legislation which either directly or indirectly touch every problem of our people, and the whole Nation is vitally concerned with every measure referred to Mr. RAMSPECK and his committee colleagues. My State and the Nation is to be congratulated upon securing the services of my good friend and colleague on these important committees.

Mr. Chairman, I have said this much to demonstrate that while I realize that I need help in a legislative way, at every turn and on every hand, yet I rejoice that the Members of my State delegation occupy strategic positions where they can render real service to my people and to the people of every district in the Union.

As sure as day follows the night so sure will Members of the House from all over the Nation remember the real courtesies and genuine service which my delegation shows and renders to

them and theirs. Legislation here, to a very large extent, is a matter of reciprocal service and mutual courteous understanding.

My State is also most fortunate in having two Senators each of whom is ever on the alert for an opportunity to serve their State and Nation. They both have served my people whenever an opportunity presented itself and I am truly grateful. They have helped me and my district when under the particular circumstances I could not help myself. When we send a bill to them they fight to prevent the elimination of the provisions that are right and seek to add such other items or provisions as will improve the measure.

Each of our Georgia Senators is on Senate committees of vital importance and the Nation is to be congratulated upon the service they are rendering the whole people.

Mr. Chairman, not only is all legislation the result of the efforts and service in both Houses but in many cases is the outcome of the labor of countless thousands of past generations. This is also largely true of all other congressional service. May I be pardoned for mentioning a recent favorable decision by the Comptroller General in a case in which I submitted a written argument. The decision in that case saved about \$3,500 for a World War veteran in my district and I am reliably informed that this decision will probably give relief in a substantial financial way to about 200 World War veterans throughout the United States.

While I put many hours on that case, and am truly glad I was able to help secure a decision helping hundreds of worthy World War veterans, I realize that I received valuable assistance from scores of officials in the Veterans' Bureau, the General Accounting Office, and other departments. I am under special obligations for the valuable assistance of Mr. Chambers, of the Disabled American Veterans.

Again, I am also truly sensible of the fact that while I was working on this case, which gave relief to men in the congressional districts of others, there were hundreds of cases in which other Members of Congress were working which will give relief to World War veterans in my district. Thus it is that true service here is to do our best at the right time in the right way. Every Member in some way, either directly or indirectly, is helped by every other Member, and every individual Member at some time or other renders a real service to every other Member and the Nation. May each of us serve as well as we are served, and may we all become stronger and nobler because of the true, genuine service we render all the people.

Thus it is, Mr. Chairman, I can not give a detailed report of my services since I came to Congress or for even one term.

There are literally thousands of matters in which all have helped and for the accomplishment of which all are to be honored. If I should name these thousands of items and show how I have been assisted by my colleagues and friends, I must needs write a book. I shall, therefore, content myself with saying I have stayed on the job and have done my best for my people who have trusted me all these years.

Mr. SANDLIN. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. DAVIS] such time as he may desire.

Mr. DAVIS. Mr. Chairman, most of the nations who engaged in the World War have each erected a monument to one of their unknown soldiers as a tribute to the valor and patriotism of the private soldiers who made the supreme sacrifice in the World War.

There has been more or less discussion as to the origin of this idea.

In this connection one of my old friends, Mr. A. Y. Smith, sr., has called my attention to an official report to the Confederate Government at Richmond, dispatched by Maj. Gen. Braxton Bragg from Tullahoma, Tenn. (my home), on February 23, 1863.

After paying high tribute to his officers—killed, wounded, and present—General Bragg paid the following tribute to the private soldier:

However much of the credit and glory may be given, and probably justly given, to the leaders in our struggle, history will yet award the main honor where it is due—to the private soldier, who, without hope of reward and with no other incentive than a consciousness of rectitude, has encountered all the hardships and suffered all the privations. Well has it been said: "The first monument our Confederacy rears should be a lofty shaft, pure and spotless, bearing this inscription: To the unknown and unrecorded dead."

Another interesting coincidence is that the American Unknown Soldier was laid to rest in the former home of Gen. Robert E. Lee, who was the commanding general under whom General Bragg served. [Applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, \$162,060.

Mr. CHINDBLOM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: Page 26, line 4, after the period, insert a new paragraph to read as follows:

"To procure a marble base or pedestal for the marble bust of the Hon. Joseph G. Cannon, \$500."

Mr. CHINDBLOM. Mr. Chairman, I think the Members of the House are all aware that the House Office Building contains a marble bust of the Hon. Joseph G. Cannon, formerly Speaker of this House, who was chairman of the commission which had in charge the erection of the House Office Building. It was because of his connection with the construction of the House Office Building that this bust was procured, as I am informed, through subscriptions contributed by Members of the House. The bust has been located in an alcove on the second floor until quite recently, when many of us have been happy to observe that the House Office Building Commission has caused the bust to be removed to the foyer or lobby of the building, where it is now visible to all who enter the building.

The bust, however, is placed upon a wooden pedestal or wooden base, which is not at all in conformity with the bust. In order to have the base or pedestal in conformity with the surroundings I have offered this amendment. I have submitted it to the majority and minority ranking members of the Subcommittee on Appropriations as well as to the leadership of the House, and I am pleased to say it has met with universal approval.

I think the amendment should be adopted in order that the very splendid likeness of this venerable statesman, who served the House so long and so well, may have a suitable setting in the House Office Building.

Mr. MURPHY. Mr. Chairman, the committee is in accord with the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Congressional Library Building, and the grounds about the same, the Union Station group of temporary housing, Botanic Garden, Senate garage, House garage, Maltby Building, folding and storage rooms of the Senate, Government Printing Office, and Washington City post office; personal and other services; engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel, in connection with the maintenance and operation of the heating, lighting, and power plant, and substations connected therewith, \$345,310.

Mr. MURPHY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MURPHY: On page 26, in lines 22 and 23, strike out the following: "And substations connected therewith."

Mr. CHINDBLOM. Mr. Chairman, if the gentleman will yield, are there no substations or are they provided for elsewhere?

Mr. MURPHY. I will say to the gentleman who has made the inquiry, there are places for these folks and they have been transferred from the Capitol power plant to other places in the Government services.

The amendment was agreed to.

The Clerk read as follows:

The Public Printer may continue the employment under his jurisdiction of William A. Smith, CONGRESSIONAL RECORD clerk at the Capitol, notwithstanding any provision of the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and any amendment thereof, prohibiting extensions of service for more than four years after the age of retirement.

Mr. TILSON. Mr. Chairman, I move to strike out the last word.

The effect of the paragraph of the bill just read is to keep in the active service of the Government our very faithful and loyal representative of the Government Printing Office—William A. Smith, CONGRESSIONAL RECORD clerk at the Capitol. [Applause.]

By reason of age and length of service, he was some time ago eligible for retirement under the retirement law. This paragraph will continue him in the service for another period.

For 57 years Mr. Smith has been an employee of the Government Printing Office, and for 55 years he has represented the Printing Office in this Capitol, a record of service of which anyone may be justly proud.

Members of Congress have come to look upon "Andy," as we call him, not only as a faithful and efficient employee of the Government but as an institution. [Applause.] Unlike his more famous namesake of the radio team of Amos 'n' Andy, he is not given to big talking, but is great on performance. Many Members of Congress, old as well as new, owe him a large debt of gratitude for advice and assistance in helping them over the rough places in taking care of their speeches. I sometimes wonder if we fully appreciate Andy's helpful services and how we should get along without him. I am glad that he is to continue in the active service and hope that for many more years to come Congress may have the benefit of his invaluable services. [Applause.]

The pro forma amendment was withdrawn.

The Clerk completed the reading of the bill.

Mr. MURPHY. Mr. Speaker, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LUCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. MURPHY. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment; if not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MURPHY, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADDRESS OF PRESIDENT HOOVER

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend by remarks in the RECORD by including therein an address of President Hoover before the Chamber of Commerce of the United States with two brief editorial comments thereon.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by the President of the United States before the United States Chamber of Commerce, together with some editorial comments thereon. Is there objection?

There was no objection.

Mr. BACON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include an editorial from the New York Evening Post entitled, "Mr. Hoover at His Best"; an editorial from the New York Herald Tribune entitled, "Superlative Leadership"; and finally the address of President Hoover before the Chamber of Commerce of the United States.

[Editorial from the New York Evening Post]

MR. HOOVER AT HIS BEST

Mr. Hoover is at his best when dealing with questions of panic relief. He restores faith in his administration, we are glad to say, when he makes a speech like that made last night before the United States Chamber of Commerce.

His analysis of what we have been through in our economic crisis was most acute. "All slumps are the inexorable consequences of the destructive forces of booms." But this slump, as the President said, was taken at its start in an attempt, and a largely successful attempt, to stop it before it had gotten under full swing. "I do not accept the fatalistic view that the discovery of the means to restrain destructive speculation is beyond the genius of the American people." Certainly, for the first time we have had a President with economic vision enough not to "accept the fatalistic view" that a panic must run its course before anything can be done about it.

Mr. Hoover spoke with overgreat modesty of this unprecedented bit of economic courage. He did not say, as he might have said, that it was exercised in the face of the opposition of strong, if purely political, advice. To the politician the obvious thing, the safe thing, the precedent thing was to wait until every one in the land had felt the panic,

had suffered its fears, and experienced its penalties. Then, said the wise ones, let the President step forward with a gesture of relief (of almost any kind) and he will be hailed as a marvelous benefactor, and gain great popular strength thereby. Mr. Hoover explicitly turned his back on that advice and gave the country the kind of anticipatory or preventative relief that has brought things to their improved position of to-day.

So much for the past. For the present, "I am convinced we have now passed the worst." For the future, a combination of the lessons learned from prosperity with those learned from panic.

The financial world, we imagine, will approve his interesting suggestion that something be done to stabilize building loans against times of trouble so that the fundamental industry of home building shall not suffer. There will be agreement, too, to the proposition that interest rates both in the Federal reserve discounts and in the speculative market have assumed such new forms during the recent boom that they would well repay a thorough study. We must admit, too, the advantage of Mr. Hoover's suggestion of an improvement in statistical service so that the business world may get storm warnings in time. And his recommendations for better unemployment figures and treatment are axiomatic.

The President in his whole address showed his grasp of the mighty problems of industry, prosperity, and panic brought vividly before us all by the stock-market crash of October 29, 1929. He also gave us a sense of his mastery of them, because the work of turning the tide is clearly advancing "according to plan."

[Editorial from the New York Herald-Tribune]

SUPERLATIVE LEADERSHIP

How far the country has recovered from the economic shock of last fall's slump in security values must remain for some months, perhaps, a matter of divided opinion. In his admirable address to the Chamber of Commerce of the United States President Hoover expressed the view that the worst is over and that "with continued unity of effort we shall rapidly recover." That is a fair and justifiable measure of optimism.

No one can say what would have happened if the crisis of November last had not been met with cool and superlative leadership. On that occasion, the President rightly says, a great economic experiment was launched. It was an experiment in stabilizing economic forces through nation-wide cooperation, on the initiative and under the guidance of the Federal Government. Nothing of the sort was attempted in earlier financial crises. The machinery for it, as well as the thought of it, did not then exist. In recent years our economic system had gradually become organized and coordinated, and resistance to demoralization could be made instead of letting disaster run its baleful course.

This effort to check the evil consequences of overinflation and reckless speculation marked the appearance of a new policy and the development of a new rôle of helpfulness on the part of the Government. The President, accustomed to deal with economic problems, seized the opportunity to offer the country the guidance which it needed, and business, transportation, agriculture, labor, and finance rallied behind him. It was a convincing demonstration that the United States had entered a new era of economic solidarity and of competency to protect itself against destructive economic flarebacks.

However slowly the equilibrium is reestablished, there can be no doubt that the recovery will be much quicker than it would have been without the President's courageous intervention. That act in itself restored shattered confidence. It showed the way out. It disclosed a spirit of immediate willingness and ability to pool all the country's resources and to make common cause against a threatened financial breakdown. Prosperity will return, but it will return all the sooner because of President Hoover's timely and enormously valuable assertion of national economic leadership.

ADDRESS OF PRESIDENT HOOVER

Gentlemen of the United States Chamber of Commerce, we have been passing through one of those great economic storms which periodically bring hardship and suffering upon our people. While the crash only took place six months ago, I am convinced we have now passed the worst and with continued unity of effort we shall rapidly recover. There is one certainty in the future of a people of the resources, intelligence, and character of the people of the United States—that is, prosperity.

On the occasion of this great storm we have for the first time attempted a great economic experiment, possibly one of the greatest of our history. By cooperation between Government officials and the entire community, business, railways, public utilities, agriculture, labor, the press, our financial institutions and public authorities, we have undertaken to stabilize economic forces; to mitigate the effects of the crash, and to shorten its destructive period. I believe I can say with assurance that our joint undertaking has succeeded to a remarkable degree, and that it furnishes a basis of great tribute to our people for unity of action in time of national emergency. To those many business leaders present here I know that I express the gratitude of our countrymen.

It is unfortunate, in a sense, that any useful discussion of the problems behind and before us has to be expressed wholly in the cold language of economics, for I realize as keenly as anyone can that individually they are not problems in science but are the most human questions in the world. They involve the immediate fears of men and women for their daily bread, the well-being of their children, the security of their homes. They are intensely personal questions fraught with living significance to everything they hold dear. The officers of a ship in heavy seas have as deep a consciousness of the human values invoked in the passengers and crew whose lives are in their keeping, but they can best serve them by taking counsel of their charts, compass, and barometer, and by devotion to navigation and the boilers. In like manner, the individual welfare can best be served by us if we devote ourselves to the amelioration of destructive forces, for thereby we serve millions of our people.

All slumps are the inexorable consequences of the destructive forces of booms. If we inquire into the primary cause of the great boom on the stock exchanges last year we find it rests mainly upon certain forces inherent in human mind. When our Nation has traveled on the high road to prosperity for a considerable term of years, the natural optimism of our people brings into being a spirit of undue speculation against the future. These vast contagions of speculative emotion have hitherto throughout all history proved themselves uncontrollable by any device that the economist, the business man, or the Government has been able to suggest. The effect of them is to divert capital and energy from healthy enterprise—the only real source of prosperity—to stimulate waste, extravagance, and unsound enterprise, with the inevitable collapse in panic.

Out of the great crashes hitherto there has always come a long train of destructive forces. A vast number of innocent people are directly involved in losses. Optimism swings to deepest pessimism; fear of the future chokes initiative and enterprise; monetary stringencies, security and commodity panics in our exchanges, bankruptcies and other losses all contribute to stifle consumption, decrease production, and finally express themselves in unemployment, decreased wages, strikes, lockouts, and a long period of stagnation. Many have looked upon all this rise and fall as a disease which must run its course and for which nothing could be done either in prevention, or to speed recovery, or to relieve the hardship which wreaks itself especially upon workers, farmers, and smaller business people. I do not accept the fatalistic view that the discovery of the means to restrain destructive speculation is beyond the genius of the American people.

Our immediate problem, however, has been the necessity to mitigate the effect of the recent crash, and to get back onto the road of prosperity as quickly as possible. This is the first time an effort has been made by the united community to this end. The success of this effort is of paramount importance, not only for our immediate needs but the possibilities it opens for the future. The intensity of the speculative boom on this occasion was, in my view, as great as or greater than any of our major manias before. The intensity of the slump has been greatly diminished by the efforts that have been made.

We—and as "we" I speak of many men and many institutions—have followed several major lines of action. Our program was one of deliberate purpose to do everything possible to uphold general confidence which lies at the root of maintained initiative and enterprise; to check monetary, security, and commodity panics in our exchanges; to assure an abundance of capital at decreasing rates of interest so as to enable the resumption of business; to accelerate construction work so as to absorb as many employees as possible from industries hit by decreased demand; to hold up the level of wages by voluntary agreement and thus maintain the living standards of the vast majority who remain in employment; to avoid accelerating the depression by the hardship and disarrangement of strikes and lockouts; and by upholding consuming power of the wage earners to in turn support agriculture.

We may well inquire into our progress thus far. We have succeeded in maintaining confidence and courage. We have avoided monetary panic and credit stringency. Those dangers are behind us. From the moment of the crash, interest rates have steadily decreased and capital has become steadily more abundant. Our investment markets have absorbed over two billions of new securities since the crash. There has been no significant bank or industrial failure. That danger, too, is safely behind us.

The acceleration of construction programs has been successful beyond our hopes. The great utilities, the railways, and the large manufacturers have responded courageously. The Federal Government has not only expedited its current works but Congress has authorized further expenditures. The governors, mayors, and other authorities have everywhere been doing their full part. The result has been the placing of contracts of this character to the value of about \$500,000,000 during the first four months of 1930, or nearly three times the amount brought into being in the corresponding four months of the last great depression of eight years ago.

All of which contributes not only to direct employment but also a long train of jobs in the material and transportation industries. We are suffering from a decrease in residential construction, but despite this we have reason to believe that the total construction will still further

expand, and we should, during 1930, witness a larger gross volume of improvement work than normal.

For the first time in the history of great slumps we have had no substantial reductions in wages and we have had no strikes or lockouts which were in any way connected with this situation.

The accelerated construction has naturally not been able to absorb all the unemployment brought by the injuries of the boom and crash. Unfortunately we have no adequate statistics upon the volume of unemployment. The maximum point of depression was about the first of the year, when, severe as the shock was, the unemployment was much less proportionately than in our two last major depressions. A telegraphic canvass of the governors and mayors who are cooperating so ably with us in organizing public works brings with one exception the unanimous response of continuously decreasing unemployment each month and the assurance of further decreases again in May.

All these widespread activities of our business men and our institutions offer sharp contrast with the activities of previous major crashes and our experiences from them. As a consequence, we have attained a stage of recovery within this short period greater than that attained during a whole year or more following previous equally great storms.

While we are to-day chiefly concerned with continuing the measures we have in process for relief from this storm, and in which we must have no relaxation, we must not neglect the lessons we have had from it, and we must consider the measures which we can undertake both for prevention of such storms and for relief from them. Economic health, like human health, requires prevention of infection as well as cure of it.

I take it that the outstanding problem and the ideal of our economic system is to secure freedom of initiative and to preserve stability in the economic structure in order that the door of opportunity and equality of opportunity may be held open to all our citizens; that every business man shall go about his affairs with confidence in the future; that it shall give assurance to our people of a job for everyone who wishes to work; that it shall, by steady improvement through research and invention, advance standards of living to the whole of our people. That will constitute the conquest of poverty, which is the great human aspiration of our economic life.

And these economic storms are the most serious interruptions to this progress which we have to face. Some of you will recollect that following the great boom and slump of eight years ago, as Secretary of Commerce I initiated a series of conferences and investigations by representative men into the experiences of that occasion and to make therefrom recommendations for the future. It is worth a moment to examine our conclusions at that time as tested in this present crisis.

The first of the conclusions at that time was that our credit machinery should be strengthened to stand the shock of crash; that the adjustment of interest rates through the Federal reserve system should retard destructive speculation and support enterprise during the depression.

Our credit machinery has proved itself able to stand shock in the commercial field through the Federal reserve system, in the industrial field through the bond market and the investment houses, in the farm-mortgage field to some extent through the farm-loan system, and in the installment-buying field through the organization of powerful finance corporations.

But if we examine the strains during the past six months we shall find one area of credit which is most inadequately organized and which almost ceased to function under the present stress. This is the provision of a steady flow of capital to the home builder.

From a social point of view this is one of the most vital segments of credit and should be placed in such a definitely mobilized and organized form as would assure its continuous and stable flow. The ownership of homes, the improvement of residential conditions to our people, is the first anchor in social stability and social progress. Here is the greatest field for expanded organization of capital and at the same time stimulation to increased standards of living and social service that lies open to our great loan institutions.

The result of the inability to freely secure capital has been a great diminution in home construction and a large segment of unemployment which could have been avoided had there been a more systematic capital supply organized with the adequacy and efficiency of the other segments of finance. We need right now an especial effort of our loan institutions in all parts of the country to increase the capital available for this purpose as a part of the remedy of the present situation.

There can be no doubt of the service of the Federal reserve system in not only withstanding the shock but also in promoting the supply of capital after the collapse. We have, however, a new experience in the effect of discount rates and other actions of the system in attempts to retard speculation. The system and the banks managed throughout the whole of the speculative period to maintain interest rates on money for commercial use at 5 to 6 per cent per annum, and by their efforts they segregated the use of capital for speculation in such fashion that the rates upon such capital ran up to 18 per cent per annum. But even these high rates on speculative capital offered little real retardation to the speculative mania of the country.

They served, in fact, to attract capital from productive enterprise, and this was one of the secondary factors in producing the crash itself. The alternative, however, of lifting commercial rates still higher in order to check speculation by checking business is also debatable. The whole bearing of interest rates upon speculation and stable production requires exhaustive consideration in view of these new experiences.

One of the subsidiary proposals in our examination seven years ago, directed to increase stability, was that improved statistical services should be created which would indicate the approach of undue speculation and thereby give advance storm warnings to the business world and directed to increase stability, was that improved statistical services and by reading the signals thousands of business men avoided the maelstrom of speculation and our major industries came through strong and unimpaired—though the people generally did not grasp these warnings, or this crisis would not have happened.

We should have even more accurate services in the future and a wider understanding of their use. We need particularly a knowledge of employment at all times if we are intelligently to plan a proper functioning of our economic system. I have interested myself in seeing that the census we are taking to-day makes for the first time a real determination of unemployment. I have hopes that upon this foundation we can regularly secure information of first importance to daily conduct in our economic world.

In remedial measures we have followed the recommendations of seven years ago as to the acceleration of construction work, the most practicable remedy for unemployment. It has been organized effectively in most important directions, and the success of organization in certain local communities point the way to even more effective action in the future by definite plans of decentralization.

Another of the by-products of this experience which has been vividly brought to the front is the whole question of agencies for placing the unemployed in contact with possible jobs. In this field is also the problem of what is termed technological unemployment. The great expansion in scientific and industrial research, the multiplicity of inventions and increasing efficiency of business, is shifting men in industry with a speed we have never hitherto known. The whole subject is one of profound importance.

We have advanced in all these methods of stability in recent years. The development of our credit system, our statistics, our methods of security, and relief in depression, all show progress. We have developed further steps during the past six months. But the whole range of our experiences from this boom and slump should be placed under accurate examination with a view to broad determination of what can be done to achieve greater stability for the future both in prevention and in remedy. If such an exhaustive examination meets with general approval, I shall, when the situation clears a little, move to organize a body—representative of business, economics, labor, and agriculture—to undertake it.

I do believe that our experience shows that we can produce helpful and wholesome effects in our economic system by voluntary cooperation through the great associations representative of business, industry, labor, and agriculture, both nationally and locally.

And it is my view that in this field of cooperative action outside of government lies the hope of intelligent information and wise planning. The Government can be helpful in emergency, it can be helpful to secure and spread information.

Such action, however, as may be developed must adhere steadfastly to the very bones of our economic system, which are the framework of progress; and that progress must come from individual initiative; and in time of stress it must be mobilized through cooperative action.

The proper constructive activities of the great voluntary organizations in the community provide the highest form of economic self-government. Permanent advance in the Republic will lie in the initiative of the people themselves.

We are not yet entirely through the difficulties of our situation. We have need to maintain every agency and every force that we have placed in motion until we are far along on the road to stable prosperity.

He would be a rash man who would state that we can produce the economic millennium, but there is great assurance that America is finding herself upon the road to secure social satisfaction, with the preservation of private industry, initiative, and a full opportunity for the development of the individual.

It is true that these economic things are not the objective of life itself. If by their steady improvement we shall yet further reduce poverty, shall create and secure more happy homes, we shall have served to make better men and women and a greater Nation.

FARM RELIEF

Mr. SUMMERS of Washington. Mr. Speaker, the National Grange Monthly gives the best brief analysis of the legislation we had under consideration yesterday that I have found anywhere, and I ask unanimous consent to extend my remarks in the RECORD by including this short analysis of the bill.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by printing an analysis of the bill referred to. Is there objection?

There was no objection.

Mr. SUMMERS of Washington. Mr. Speaker, the National Grange Monthly gives the best brief analysis of the legislation we had under consideration yesterday that I have found anywhere.

The article referred to is as follows:

WILL GIVE FARMERS REAL PROTECTION AGAINST MIDDLEMEN IF THIS BILL IS ENACTED

Congressman SUMMERS of Washington is the author of a bill for the Federal licensing of commission men engaged in interstate commerce, which has occupied the attention of the House Agricultural Committee for some time past. Several hearings have been held on this bill, and its purpose is to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities. Under the provisions of the bill it shall be unlawful—

First. For any commission merchant or broker to make a fraudulent charge in respect to any perishable agricultural commodity received in interstate or foreign commerce.

Second. For any dealer to reject or fail to deliver in accordance with the terms of the contract, without reasonable cause, any commodity coming within the scope of the bill.

Third. For any commission merchant to discard, dump, or destroy, without reasonable cause, any commodity covered by the bill.

Fourth. For any commission merchant, dealer, or broker to make a false or misleading statement concerning the condition, quality, quantity, or disposition of a consignment received by him.

Fifth. To falsely represent by word, act, or deed that a commodity was produced in a State or country other than that in which it was actually produced.

The measure provides that commission merchants, dealers, or brokers shall be licensed by the Secretary of Agriculture upon filing an application. The license fee is fixed at \$10 per year. The Secretary may refuse to issue a license to an applicant if after notice and hearing he is of opinion that the applicant has previously been guilty of the unfair practices enumerated in the bill. Commission merchants, dealers, and brokers violating the provisions of the bill are liable to have their licenses suspended for a period not to exceed 10 days for the first offense. If such violation is not the first, the Secretary may publish the facts and circumstances or suspend the license of the offender for a period not to exceed 90 days. However, if the offense is a flagrant or repeated violation of the provisions of the bill, the Secretary may permanently revoke the license of the offender.

As already stated, the provisions of the act would apply only in interstate and foreign commerce. It developed at hearings before the committee that 21 States have adopted measures similar to the Summers bill. For years there has been a strong demand from the farmers of the Northwest for national legislation of this kind. It has been estimated that the apple growers of Washington alone have lost as high as \$800,000 a year as a result of sharp and unfair practices on the part of commission men and dealers in eastern cities to whom shipments were sent. Testimony adduced at the hearings before the House committee showed that it is not feasible in cases of this kind to have resort to legal action through the courts.

The very nature of perishable commodities is such that the long delays in disposing of such cases through the courts would put the shipper at a decided disadvantage. Frequently when shipments of perishable commodities are rejected by the consignee the only thing left for the shipper to do is to sell the products at auction. This not only results in great loss to the shipper but has a pronounced tendency to depress prices on the commodities in question in the region where the auction sale occurs. Congressman SUMMERS introduced letters at the hearings from the commissioners of agriculture of 25 States indorsing the bill. The Grange is giving its support to the measure.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. GARRETT, for to-day, on account of illness; and

Mr. CRADDOCK, for seven days, on account of important business.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet on Monday next.

Mr. GARNER. Mr. Speaker, reserving the right to object, and I do not intend to object, I wish the gentleman would make a statement about what he expects the program to be with reference to taking care of bills on the Private and Consent Calendars. My recollection, from examining these two calendars last Monday, is that it would evidently take four or five days of four or five hours each to reach all the bills on this calendar, if we did not proceed any faster than we have in the past. Any bill on either one of these calendars to which there is no objection, ought to become a law, and what I am afraid of is that if we put it off too long, the business of the Senate will become clogged up and we will not be able to take care of the situation.

Mr. TILSON. Mr. Speaker, I am pleased that the gentleman from Texas [Mr. GARNER] has asked this question, because I would like to explain to the House what we hope to do in connection with the Consent Calendar and the Private Calendar. After the passage of the Navy appropriation bill there will be no other appropriation bill except the deficiency bill, which will probably be considered in the last days of the session. In the interval between the time the Navy bill is finished and the time when we shall adjourn—and this interval is still very uncertain—it is my purpose to ask to have the Consent Calendar of public bills called through so that every bill on the calendar may have its chance.

As to the Private Calendar, it has been the policy heretofore, at least since I have been floor leader, to call this calendar through at least once and consider the bills unobjected to, and it is my present purpose to give the House the same opportunity this session.

Mr. GARNER. I am very much obliged to the gentleman, and I know I express the sentiment of the Membership of the House when I indorse the policy of the majority leader in giving an opportunity for each one of these bills to be considered. Of course, if there is objection to any bill it will go over.

The SPEAKER. Without objection, the request of the gentleman from Connecticut is granted.

There was no objection.

DIVISION OF THE STATE OF TEXAS

Mr. GARNER. Mr. Speaker, I ask unanimous consent to extend by remarks in the RECORD by publishing some data I have prepared with reference to dividing Texas into five States.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, under leave to extend my remarks in the RECORD I wish to call attention to the fact that the Legislature of Texas could, if so disposed, transfer the balance of national political power from New England to the South, and secure for the Southern States the political power, prestige, and recognition which, under our party form of government, has been the peculiar prerogative of a group of small Northeastern States ever since the establishment of the Union.

Texas occupies the unique position of being the only State that can, merely by act of its legislature, subdivide its area into any number not exceeding four additional States. This privilege is granted in the joint resolution of Congress for annexation of Texas, approved March 1, 1845, which provides that—

New States of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution.

This was approved by the Texas government and the State was admitted to the Union by joint resolution of Congress approved December 29, 1845.

With reference to admission of new States section 3 of Article IV of the Constitution provides:

New States may be admitted by the Congress into this Union, but no new States shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of Congress.

The consent of Congress to division of the State was granted when the State was annexed, leaving the entire matter to the discretion of the State legislature.

Texas, the largest State, has an area of 265,398 square miles, and is approximately 70 per cent larger than its nearest competitor, California, which has an area of 158,297. If the State was divided equally into five States, each would have an area of 53,175 square miles, or approximately the same as Arkansas. Twenty-three of the States have areas less than 53,000 square miles. Texas would make 220 States the size of Rhode Island, 112 the size of Delaware, 54 the size of Connecticut, 32 the size of New Jersey or Massachusetts, or nearly six the size of New York. The area of Texas is approximately four times greater than the combined areas of the New England States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

With an estimated population of 5,600,000, Texas ranks fifth among the States, being exceeded by New York, Pennsylvania, Illinois, and Ohio. An equal division into five States would give each State a population of 1,200,000, and in this respect the Texas subdivisions would rank with such States as Maryland, Colorado, Florida, Nebraska, Washington, and West Virginia, and would have far larger populations than Delaware, Idaho, Maine, Montana, New Hampshire, New Mexico, North

and South Dakota, Oregon, Rhode Island, Utah, Vermont, or Wyoming.

The population of five of the New England States—Maine, Vermont, New Hampshire, Connecticut, and Rhode Island—is approximately 4,000,000, but Massachusetts, the sixth of the New England group, brings the total to 8,270,000.

These figures show clearly the justification for division of Texas into five separate States. The five of the six States of the New England group, with less population and only a small fraction of the area of which Texas boasts, are represented by 10 Senators, whereas Texas has only 2. They also have a total of 25 electoral votes as compared with the 20 of Texas.

Addition of four States would give the Senate a membership of 104 instead of the 96 which now comprise that body. The present Senate is made up of 56 Republicans, 39 Democrats, and 1 Farmer-Labor. Due to the fact there has been considerable defection in the Republican ranks a coalition of Democrats and progressive Republicans has occasionally controlled, and if the Democrats had 8 additional Members the coalition would doubtless have retained control on all major legislation.

Since the admission of New Mexico and Arizona in 1912 there have been nine Congresses. In the Senate only 3 of these have been controlled by the Democrats, but at least 5 of the 9 would have been under Democratic control had Texas exercised her prerogative to organize 4 additional States. The Democrats controlled the Senate in the Sixty-third Congress, which came into existence March 4, 1913; also the Sixty-fourth and Sixty-fifth. With eight additional seats they would have controlled the Sixty-sixth and Seventieth and broken even with the Republicans in the Sixty-eighth. The political divisions of the Senate since the Sixty-second Congress are as follows:

	Repub- lican	Democrat	Independ- ent
Sixty-third Congress.....	44	51	1
Sixty-fourth Congress.....	39	56	1
Sixty-fifth Congress.....	42	53	1
Sixty-sixth Congress.....	48	47	1
Sixty-seventh Congress.....	59	37	0
Sixty-eighth Congress.....	51	43	2
Sixty-ninth Congress.....	54	40	1
Seventieth Congress.....	48	47	1
Seventy-first Congress.....	56	39	1

The Mason and Dixon line has for many years been and will be for years to come, the line of political cleavage, due to economic and industrial conditions. The North Atlantic area, by reason of the fact it is divided into a group of small States, has year after year held the balance of power in the Senate and has been enabled to direct national legislation along channels most favorable to their sectional interests. Such progress as the South and West has made has been due to their almost unlimited natural resources. It can not be denied that their economic and industrial advancement has been retarded by the sectionalism of the northeastern group and the control which this group has for years exercised over the political policies of the Nation.

No better criterion of the political power wielded by New England and Pennsylvania can be set out than the Hawley-Smoot and the Fordney-McCumber tariff bills, both of which would have been modified in favor of the South if the Democrats had 8 additional votes in the Senate. In the Hawley-Smoot bill practically every industry of the North Atlantic area has been granted special privilege to exploit southern and western producers of raw materials. The cotton growers of the South, the wheat growers of the West, and the stockmen of the Southwest have been denied adequate tariff protection, due to the failure to adopt the export debenture, and have been made the targets of exploitation by the industrialists of that group of small States of the Northeast.

The effort of the Democratic-Progressive coalition in the Senate to establish parity between agriculture and industry with respect to tariff benefits, the success of that coalition during the first two months the tariff bill was under consideration in the Senate, and its final defeat when New England and Pennsylvania regained control is fresh in the minds of the public. Had Texas been divided into five States the results of that tariff battle would have been different. The South and West would have secured the rates and recognition which are their due, and the power of the North Atlantic States to exploit the rest of the country would have been limited if not eliminated.

Another factor that recommends division is the wide diversity of interests within the State, the rapid growth in population, and the tremendous development of natural resources in recent years. That development of Texas is merely in its inception is obvious to all who are familiar with its natural resources,

and the population and wealth of the State are destined to increase in an ever-ascending ratio as the years pass. The great diversity of interests has created more or less controversy within the State in recent years, and this will become more pronounced as these interests expand, indicating that business as well as political interests would best be served by division.

The only argument that can be brought to bear in opposition to division is that of sentiment. Deep in the heart of every Texan is love for his State, and pride in its heroic history, its marvelous resources, and rapid growth. However, to divide the State would in nowise detract from the glory of the past, but would add to the glory of the future by reason of the additional political power that would accrue and the enhancement of sectional initiative in development of industries and resources.

Texas is already divided into five sections—north, east, south, west, and central Texas. Each section has its respective political and industrial interests, and there have been occasional clashes of these interests which presage the ultimate division. Whether these sections could work out their respective destinies more efficiently and satisfactorily under individual control is, of course, a matter for the people of Texas and the legislature to decide, but it must be obvious to all who have made a study of the situation that the additional political power that would accrue through division not only to Texas but to all of the South and West would be a potent factor in securing such national recognition as is necessary to assure future development unhampered by selfish designs and interests of other sections of the Republic.

Texans always will be bound by sentiment, by the heroic history of their State; but instead of having one State let us have five; and instead of one star in our State flag let us have five—representing north, east, south, west, and central Texas.

It has been said with some degree of accuracy that the smaller States of the Union are the best governed. We know it is an admitted truism that the closer the people are to their seat of government and their public servants the more responsive is that government to public interest and therefore the better and more efficient the governmental service.

It is my opinion that Texas, with its vast domain, its tremendous resources, which are just beginning to be developed, its rapidly increasing population and its great diversity of interests, is each year presenting a more complex problem in State government. In the old days when development and population were centered largely in those areas not far distant from the coast the problems of State government were comparatively almost negligible. But in recent years the western trend of population and development has created new and sectional problems, which, I believe, can best be solved by those most vitally affected. It is virtually impossible for any individual or law-making body to compose these varied interests or to so regulate State government that it will operate to the highest degree of efficiency for all sections.

I am making this suggestion or plea for what I believe to be the benefit of the whole country, and especially the South and Southwest. It is needless for me to say that I have no political ambition that would be affected by such arrangement, as I desire no office other than the one I hold.

I believe in the right of all people to work out their own destiny, and it is my opinion that this could best be accomplished by division of the State, thereby securing for the South and Southwest additional political power and prestige which would be a vital factor in promoting the development of the almost unlimited resources of that vast area which now constitutes the State of Texas.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

- H. R. 389. An act for the relief of Kenneth M. Orr;
- H. R. 707. An act to authorize an appropriation for construction at Fort McKinley, Portland, Me.;
- H. R. 973. An act to remove the age limit of persons who may be confined at the United States Industrial Reformatory at Chillicothe, Ohio;
- H. R. 1301. An act for the relief of Julius Victor Keller;
- H. R. 1444. An act for the relief of Marmaduke H. Floyd;
- H. R. 2161. An act to convey to the city of Waltham, Mass., certain Government land for street purposes;
- H. R. 3527. An act to authorize credit in the disbursing accounts of certain officers of the Army of the United States for the settlement of individual claims approved by the War Department;

H. R. 4198. An act to authorize the exchange of certain lands adjoining the Catoosa Springs (Ga.) Target Range;

H. R. 5283. An act to declare valid the title to certain Indian lands;

H. R. 5726. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Salem, Mass., and to the Salem Marine Society, of Salem, Mass., the silver-service set and bronze clock, respectively, which have been in use on the cruiser *Salem*;

H. R. 6338. An act authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Togus, Me.;

H. R. 6645. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Lions Club, of Shelbyville, Tenn., a bell of any naval vessel that is now, or may be, in his custody; and to the president of the Rotary Club, of Shelbyville, Tenn., a steering wheel of any naval vessel that is now, or may be, in his custody;

H. R. 7395. An act to extend to Government postal cards the provision for defacing the stamps on Government-stamped envelopes by mailers;

H. R. 7410. An act to establish a hospital for defective delinquents;

H. R. 7413. An act to amend an act providing for the parole of United States prisoners, approved June 25, 1910, as amended;

H. R. 8052. An act authorizing the heirs of Elijah D. Myers to purchase land in section 7, township 28 south, range 11 west, Willamette meridian, county of Coos, State of Oregon;

H. R. 8368. An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada;

H. R. 8650. An act to authorize the Postmaster General to charge for services rendered in disposing of undelivered mail in those cases where it is considered proper for the Postal Service to dispose of such mail by sale or to dispose of collect-on-delivery mail without collection of the collect-on-delivery charges or for a greater or less amount than stated when mailed;

H. R. 8713. An act granting land in Wrangell, Alaska, to the town of Wrangell, Alaska;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes;

H. R. 8805. An act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field;

H. R. 8973. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Charleston Museum, of Charleston, S. C., the ship's bell, plaque, war record, and silver service of the cruiser *Charleston* that is now or may be in his custody;

H. R. 9235. An act to authorize the Public Health Service to provide medical service in the Federal prisons;

H. R. 9434. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Ore.;

H. R. 10258. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.;

H. R. 10474. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark.;

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes;

H. R. 10674. An act authorizing payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty;

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.;

H. J. Res. 188. Joint resolution authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim; and

H. J. Res. 244. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to 11, 1930, inclusive.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 11780. An act granting the consent of Congress to the Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.

ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Friday, May 9, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, May 9, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON WAYS AND MEANS

(11 a. m.)

Authorizing the immediate appropriation of certain amounts authorized to be appropriated by the settlement of war claims act of 1928 (H. J. Res. 328).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

EXECUTIVE COMMUNICATIONS, ETC.

456. Under clause 2 of Rule XXIV, a letter from the Assistant Secretary of Labor, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Con. Res. 28. A concurrent resolution authorizing the appointment of a joint committee of Congress to attend the one hundred and twenty-fifth anniversary of the celebration of American independence by the Lewis and Clark expedition on July 4, 1805, to be held at Great Falls, Mont., July 4, 1930; without amendment (Rept. No. 1396). Referred to the House Calendar.

Mr. SNELL: Committee on Rules. H. Res. 219. A resolution providing for the consideration of H. R. 10480, "a bill to authorize the settlement of the indebtedness of the German Reich to the United States on account of the awards of the Mixed Claims Commission, United States and Germany, and the cost of the United States Army of Occupation"; without amendment (Rept. No. 1397). Referred to the House Calendar.

Mr. BUTLER: Committee on the Public Lands. H. R. 11787. A bill authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain revested and reconveyed lands in the State of Oregon; without amendment (Rept. No. 1403). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11753. A bill to amend an act for the relief of certain tribes of Indians in Montana, Idaho, and Washington; with amendment (Rept. No. 1404). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. J. Res. 326. A joint resolution for the amendment of the acts of February 2, 1903, and March 3, 1905, as amended, to allow the States to quarantine against the shipment thereto or therein of livestock, including poultry, from a State or Territory or portion thereof where a livestock or poultry disease is found to exist, which is not covered by regulatory action of the Department of Agriculture, and for other purposes; without amendment (Rept. No. 1405). Referred to the House Calendar.

Mr. SWING: Committee on Flood Control. H. R. 12190. A bill to authorize preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes; without amendment (Rept. No. 1406). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LAMPERT: Committee on the District of Columbia. H. R. 2525. A bill for the relief of Jennie Bruce Gallahan; without amendment (Rept. No. 1398). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11564. A bill to reimburse William Whitright for expenses incurred as an authorized delegate of the Fort Peck Indians; with amendment (Rept. No. 1399). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11565. A bill to reimburse Charles Thompson for expenses incurred as an authorized delegate of the Fort Peck Indians; with amendment (Rept. No. 1400). Referred to the Committee of the Whole House.

Mr. HOWARD: Committee on Indian Affairs. H. R. 11675. A bill to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use; with amendment (Rept. No. 1401). Referred to the Committee of the Whole House.

Mr. CABLE: Committee on Coinage, Weights, and Measures. H. J. Res. 327. A joint resolution authorizing the presentation of medals to the officers and men of the Byrd antarctic expedition; with amendment (Rept. No. 1402). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5738) to extend certain benefits to Robert Smith Watson and William La Velle Watson; Committee on World War Veterans' Legislation discharged, and referred to the Committee on War Claims.

A bill (H. R. 9852) for the relief of Charles Flanagan; Committee on World War Veterans' Legislation discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAMMER: A bill (H. R. 12261) to aid the several States and Territories and the District of Columbia in combating illiteracy, and for other purposes; to the Committee on Education.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 12262) to homestead and conserve surplus or flood waters of the Mississippi and other navigable rivers; to regulate the flow and develop navigability, regulate commerce, and protect the posts, and military movements within the United States; and making appropriation therefor, and for other purposes; to the Committee on Flood Control.

By Mr. WURZBACH: A bill (H. R. 12263) to authorize the acquisition of 1,000 acres of land, more or less, for aerial bombing range purposes at Kelly Field, Tex., and in settlement of certain damage claims; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 12264) granting a pension to Lottie McKelvey; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 12265) granting an increase of pension to Matilda Jane Turner; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 12266) granting an increase of pension to Florence H. Godfrey; to the Committee on Pensions.

Also, a bill (H. R. 12267) granting a pension to Frank N. Curtis; to the Committee on Pensions.

By Mr. DOMINICK: A bill (H. R. 12268) for the relief of Robert Hayne Buford; to the Committee on the Civil Service.

By Mr. DUNBAR: A bill (H. R. 12269) granting an increase of pension to Sarah B. Yeates; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 12270) granting an increase of pension to Fianna G. Wickel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12271) granting an increase of pension to Annie M. Spielman; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 12272) granting an increase of pension to Roscoe C. Trusty; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 12273) granting a pension to Jennie B. Kemper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12274) for the relief of Emma A. Pharis; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 12275) granting a pension to Caroline Hall; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 12276) to commission Albert Malcomb McWhirter first lieutenant, and for other benefits; to the Committee on Military Affairs.

By Mr. QUAYLE: A bill (H. R. 12277) granting a pension to Annie J. Gonzalez; to the Committee on Pensions.

By Mr. RAGON: A bill (H. R. 12278) for the relief of Mabel Williams; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 12279) granting an increase of pension to Ellen Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12280) granting an increase of pension to Angeline Andrews; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 12281) granting a pension to August Bemmerer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7235. By Mr. COLTON: Petition signed by a number of citizens and members of the Drug Store Association of Utah County, Utah, urging the passage of the Kelly-Capper fair trade bill, H. R. 11; to the Committee on Interstate and Foreign Commerce.

7236. By Mr. CRAIL: Petition of many citizens of California, favoring the passage of the Crail bill, H. R. 8371, to assist any person holding an honorable discharge from the military forces of the United States during any war with a loan to build a home or buy a farm; to the Committee on Ways and Means.

7237. By Mr. TILSON: Resolution adopted by the board of aldermen of the city of New Haven, Conn., favoring a popular referendum on the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

7238. By Mr. WOLVERTON of West Virginia: Petition of the National Alliance of Postal Employees, by the chairman, Joseph B. Arleens, of Pittsburgh, Pa., urging early and favorable action on House bills 2402 and 3887; to the Committee on the Post Office and Post Roads.

7239. Also, petition of W. D. Tyre and other postal employees with headquarters in Elkins, W. Va., urging Congress to take favorable action on the Kendall 44-hour-week bill; to the Committee on the Post Office and Post Roads.

SENATE

FRIDAY, May 9, 1930

(Legislative day of Thursday, May 8, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDING OFFICER (Mr. JONES in the chair). The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, in which it requested the concurrence of the Senate.

DUTY-FREE CEMENT FOR PUBLIC PURPOSES

Mr. BLEASE. Mr. President, on May 1 a Congressman, speaking on the floor of the House in reference to the amendment in the tariff bill relating to cement, said, as reported on page 8158 of the CONGRESSIONAL RECORD:

In any event, in order to enforce this amendment if it were enacted into law, it would be necessary to build up an additional Federal policing bureau for the purpose of determining whether cement earmarked for State, county, or city use goes ultimately into that State, county, or city use for which it has been imported free of duty.

On May 3 I addressed a communication to the Hon. F. X. A. Eble, Commissioner of the Bureau of Customs in the Treasury Department, in reference to that statement, and have his reply dated May 8. I also have a letter from L. P. E. Giffroy, national councillor of the Chamber of Commerce of the United States, dated New Orleans, La., May 8, 1930, inclosing a letter from the general sales manager of the Coplay Cement Manu-